

STATE OF NEW YORK

7491--B

2025-2026 Regular Sessions

IN SENATE

April 17, 2025

Introduced by Sens. BRISPORT, BASKIN, CLEARE, COMRIE, FAHY, GONZALEZ, HARCKHAM, KAVANAGH, LIU, MYRIE, SALAZAR, SANDERS, SEPULVEDA, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- recommitted to the Committee on Judiciary in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil practice law and rules, in relation to the statute of limitations for civil actions related to certain deed theft actions, reviving such actions otherwise barred by the existing statute of limitations and granting trial preference to such actions; and to amend the judiciary law, in relation to directing the chief administrator of the courts to promulgate rules for the timely adjudication of certain revived actions

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The civil practice law and rules is amended by adding a new
2 section 214-k to read as follows:

3 § 214-k. Certain deed theft actions. 1. Notwithstanding any provision
4 of law which imposes a period of limitation to the contrary, every civil
5 claim or cause of action brought against any party alleging fraud, frau-
6 dule nt inducement, or fraudulent misrepresentation in obtaining the
7 title to a residential dwelling, every civil claim or cause of action
8 alleging a violation of section three hundred forty-nine of the general
9 business law or section two hundred sixty-five-a of the real property
10 law that arise from fraud, fraudulent inducement, or fraudulent misrep-
11 resentation in obtaining the title to a residential dwelling, and every
12 civil claim or cause of action for legal malpractice related to such
13 allegations, accruing on or after January first, two thousand, which is

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 barred as of the effective date of this section because the applicable
2 period of limitation has expired, is hereby revived, and action thereon
3 may be commenced not earlier than six months after, and not later than
4 one year and six months after the effective date of this section. In any
5 such claim or action, dismissal of a previous action ordered before the
6 effective date of this section on grounds that such previous action was
7 time barred, or dismissal of such previous action pursuant to rule thir-
8 ty-two hundred sixteen of this chapter for failure to prosecute, shall
9 not be grounds for dismissal of a revival action pursuant to this
10 section.

11 2. Claims that are revived pursuant to this section shall be limited
12 to those asserted by: (a) natural persons who resided at the property at
13 issue as their primary residence for at least two consecutive years
14 immediately prior to the deed theft; (b) the estates of natural persons
15 who resided at the property at issue as their primary residence for at
16 least two consecutive years immediately prior to the deed theft; and (c)
17 entities where at least one owner of the entity resided at the property
18 at issue as their primary residence for at least two consecutive years
19 immediately prior to the deed theft.

20 § 2. Paragraph 7 of subdivision (a) of rule 3403 of the civil practice
21 law and rules, as amended by chapter 203 of the laws of 2022, is amended
22 to read as follows:

23 7. any action which has been revived pursuant to section two hundred
24 fourteen-g ~~[of]~~, two hundred fourteen-j, or two hundred fourteen-k of
25 this chapter.

26 § 3. The judiciary law is amended by adding a new section 219-f to
27 read as follows:

28 § 219-f. Rules reviving certain actions; deed theft. The chief admin-
29 istrator of the courts shall promulgate rules for the timely adjudi-
30 cation of revived actions brought pursuant to section two hundred four-
31 teen-k of the civil practice law and rules.

32 § 4. The provisions of this act shall be severable, and if any clause,
33 sentence, paragraph, subdivision or part of this act shall be adjudged
34 by any court of competent jurisdiction to be invalid, such judgment
35 shall not affect, impair, or invalidate the remainder thereof, but shall
36 be confined in its operation to the clause, sentence, paragraph, subdivi-
37 sion or part thereof directly involved in the controversy in which
38 such judgment shall have been rendered.

39 § 5. This act shall take effect immediately; provided, however, that
40 section three of this act shall take effect three months after this act
41 shall have become a law.