§ 491. Actions by and against fund. 1. The state supreme court shall have exclusive jurisdiction of any action, suit or special proceeding brought by or against or involving the fund. The venue of any action, suit or special proceeding brought against the funds shall be laid in the city of Yonkers and county of Westchester.

2. In every action against the fund for damages, for injuries to real or personal property, or for the destruction thereof, or for personal injuries or death, the complaint shall contain an allegation that at least thirty days have elapsed since the demand, claim or claims upon which such action is founded were presented to a trustee or officer of the fund and that the fund has neglected or refused to make an adjustment or payment thereof for thirty days after such presentment.

3. Except in an action for wrongful death, an action against the fund for damages for injuries to real or personal property, or for the destruction thereof, or for personal injuries, alleged to have been sustained, shall not be commenced more than one year and ninety days after the cause of action therefor shall have accrued, nor unless a notice of claim shall have been served on the fund within the time limit established by, and in compliance with all requirements of section fifty-e of the general municipal law. An action against the fund for wrongful death shall be commenced in accordance with the notice of claim and time limitation provisions of title eleven of article nine of the public authorities law.