

## CHAPTER TEXT:

## LAWS OF NEW YORK, 2007

## CHAPTER 369

AN ACT to amend chapter 367 of the laws of 1999, amending the civil practice law and rules and the judiciary law relating to authorization of pilot programs permitting use of facsimile transmission or electronic means to commence an action or special proceeding, in relation to filing by electronic means

Became a law July 18, 2007, with the approval of the Governor.

Passed by a majority vote, three-fifths being present.

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

Section 1. Subdivisions (a) and (c) of section 6 of chapter 367 of the laws of 1999, amending the civil practice law and rules and the judiciary law relating to authorization of pilot programs permitting use of facsimile transmission or electronic means to commence an action or special proceeding, as amended by chapter 504 of the laws of 2005, are amended to read as follows:

(a) Notwithstanding any other provision of law, the chief administrator of the courts, with the approval of the administrative board of the courts, may promulgate rules authorizing an experimental program for the commencement by facsimile transmission or by electronic means of civil actions and proceedings in the supreme court of Albany, Monroe, Westchester, New York, Bronx, Erie, Kings, Queens, Richmond, Nassau, Suffolk, Niagara, Broome, Essex, Onondaga, ~~and~~ Sullivan, ~~and Livingston~~ counties, the New York court of claims, ~~the civil court of the city of New York~~, and the surrogate's court of Chautauqua, Erie ~~county~~, Monroe, Queens and Suffolk counties.

(c) The cases subject to filing by facsimile shall be limited to commercial claims, mental hygiene and conservatorship proceedings, tax certiorari claims in Monroe, Westchester, New York, and Suffolk counties, and claims against the state of New York. The cases subject to filing by electronic means shall be limited to those involving commercial, tax certiorari, and tort claims in supreme court in Albany, Monroe, Westchester, New York, Bronx, Kings, Queens, Richmond, Nassau, Suffolk, Erie, Niagara, Essex, Onondaga, ~~and~~ Sullivan, ~~and Livingston~~ counties; ~~cases in the civil court of the city of New York involving claims brought by a provider of health services specified in paragraph one of subsection (a) of section 5102 of the insurance law against an insurer for failure to comply with rules and regulations promulgated by the superintendent of insurance pursuant to subsection (b) of section 5108 of such law; proceedings in surrogate's court in Chautauqua, Erie ~~county~~, Monroe, Queens and Suffolk counties; and claims against the state of New York. In Broome county, all cases in supreme court may be eligible for filing by electronic means treatment.~~

§ 2. This act shall take effect immediately; provided, however, that the amendment to section 6 of chapter 367 of the laws of 1999 made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

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

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The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

JOSEPH L. BRUNO  
Temporary President of the Senate

SHELDON SILVER  
Speaker of the Assembly

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