

1.

LAWS OF NEW YORK, 2007

CHAPTER 606

AN ACT to amend the court of claims act, in relation to the contents of a claim and notice of intention to file a claim

Became a law August 15, 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. Subdivision b of section 11 of the court of claims act, as amended by chapter 625 of the laws of 1990, is amended to read as follows:

b. The claim shall state the time when and place where such claim arose, the nature of same, [~~and~~] the items of damage or injuries claimed to have been sustained and, **except in an action to recover damages for personal injury, medical, dental or podiatric malpractice or wrongful death**, the total sum claimed. A claim for the appropriation by the state of lands, or any right, title or interest in or to lands shall include an inventory or itemized statement of fixtures, if any, for which compensation is claimed. The notice of intention to file a claim shall set forth the same matters except that the items of damage or injuries and the sum claimed need not be stated. The claim and notice of intention to file a claim shall be verified in the same manner as a complaint in an action in the supreme court.

§ 2. This act shall take effect immediately; provided, that notwithstanding any other provision of law, any claim which was pending on or after November 27, 2003 and which would have been viable if this act was effective at the time the claim was filed shall not be dismissed for failure to state the total dollar amount of the claim, and any claim which was dismissed on or after November 27, 2003 because this act was not yet effective is hereby revived and may be commenced within one year of the effective date of this act or within one year of the date of the final dismissal of the claim, whichever is later; provided, further that such claim shall be commenced no later than two years after the effective date of this act.

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

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