



## 2023 State Legislative Wrap-Up: CPLR Committee

We've come to the end of 2023, with several actions taken by the Legislature and Governor that may be of interest to your committee. Any memoranda and letters drafted by the committee in support of or opposition to legislation were shared by the Government Relations team, and the team looks forward to working with the committee as we move into the 2024 Legislative Session.

## Committee Legislative Engagement in the 2023 Session

### **Signed by the Governor:**

- S5162(Hoylman/Sigal)/A5772(Lavine): Allows an affirmation by any person, wherever made, in a civil action. This bill aligns with CPLR's Affirmative Legislative Proposal amending CPLR 2106 language. The Committee supported this legislation with a Memo in Support.

### **Vetoed by the Governor:**

- S5137(Gonzalez)/A4721(Solages): Relates to prohibiting a court from denying class certification solely because the action involves governmental operations. The committee supported this legislation with a Memo in Support.

### **Not Passed by the Legislature:**

- S7113(Hoylman-Sigal): An act to amend the civil practice law and rules, in relation to class actions. The legislation was introduced in the Senate, but not the Assembly. The Committee supported this legislation with a Memo in Support.
- S3263(Hoylman-Sigal)/A3775(Weinstein): Authorizes the vacating of an arbitration award on the basis of arbitrator disregard of the law. The Committee opposed this legislation with a Memo in Opposition (#1).

## Other Legislation of Interest

- S7043(Hoylman-Sigal): An act to amend the civil practice law and rules, in relation to the use of writings and objects to refresh recollection. Introduced in the Senate, but not the Assembly. This legislation was supported by NYSBA with a Memo in Support.
- S2271(Liu)/ A3225(Vanel): Clarifies requirements for acknowledgements, proofs, oaths and affirmations without the state. Passed the Senate, but not the Assembly. This legislation contains Affirmative Legislative Proposal language drafted by the CPLR committee.
- S7482 (Ryan): An act to amend the civil practice law and rules, in relation to waiver of privilege. Introduced in the Senate, but not the Assembly. This legislation was supported by NYSBA with a Memo of Support.