



2024 State Legislative Update: CPLR Committee

We've come to the end of the 2024 Legislative Session, with several actions taken by the Legislature that may be of interest to your committee. Please reach out to the GR team with any questions about any particular legislation of interest that you don't see on the following list. Any memoranda and letters drafted by the committee in support 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 second half of 2024.

Legislation of Interest

Passed by the Legislature:

- S9518(Gonzalez)/A8609(Solages): Relates to prohibiting a court from denying class certification solely because the action involves governmental operations. This bill was passed by both houses and will go to the Governor for signature or veto by the end of the year.
- S2271(Liu)/ A3225(Vanel): Clarifies requirements for acknowledgements, proofs, oaths and affirmations without the state. This bill passed both houses and will go to the Governor for signature or veto by the end of the year.
- S7801-A(Liu)/A8081-B(Bores): Requires proof of service to include the server's perception of certain characteristics of the person to whom personal service of a summons was delivered. This bill passed both houses and will go to the Governor for signature or veto.

Not Passed:

- S7113(Hoylman-Sigal)/ A9425(Dinowitz): An act to amend the civil practice law and rules, in relation to class actions. This bill had no movement this session.
- S3263(Hoylman-Sigal)/A3775(Weinstein): Authorizes the vacating of an arbitration award on the basis of arbitrator disregard of the law. This bill made it the rules committee in the Senate but had no movement in the Assembly.
- 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. This bill was introduced in the Senate but had no movement. It did not have a same-as in the Assembly.
- 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 and had no movement in the Senate.

Lena Faustel | Government Relations Policy Manager | lfaustel@nysba.org

Hilary Jochmans | Policy Consultant | HFJ@JochmansConsulting.com

David P. Miranda | General Counsel | dmiranda@nysba.org

NYSBA.ORG/GOVERNMENTRELATIONS



UPDATE

- A8407(Cruz)/S7796(Salazar): Relates to the tolling of statute of limitations for individuals in state custody. This bill showed no movement this session.
- A8462(Dinowitz)/S7925(Hoylman-Sigal): Prohibits the enforcement of mandatory arbitration agreements clauses and joint-action waivers with respect to workplace disputes. This bill showed no movement this session.
- S362-A(Thomas)/A3155-A(Zebrowski): Relates to protections for private education loan borrowers and cosigners. This legislation passed the Senate and made it to third reading in the Assembly.
- S3503-A(Skoufis)/A7708-A(Zebrowski): Relates to requiring principals to notify co-trustees and co-beneficiaries of the signing of a power of attorney. This bill had little movement in the Assembly; sent to the rules committee in the Senate.
- S560(Hoylman-Sigal): Authorizes oaths to be remotely administered by notaries public to witnesses in legal proceedings. This bill had no movement in the Senate and no same-as was introduced in the Assembly.
- S6494-A(Ramos)/A2883(Epstein): Requires a certificate of merit in proceedings to recover possession of real property. This bill was ordered to third reading in the Assembly but had little movement in the Senate.

NYSBA saw a number of bills supported by Association policy pass in both houses this session, including:

- Among NYSBA's legislative priorities for 2024 was the passage of [A7241-A\(Lavine\)/S8663\(Hoylman-Sigal\)](#), a bill which would exempt non-electronic notarial acts from the record-keeping rules and regulations set forth by the Department of State.
- [S895-B/A6789-B](#), a bill which requires disclosure of certain social media terms of service. This bill was supported by the Task Force on Combatting Antisemitism and Anti-Asian Hate's [Report](#), adopted by NYSBA's House of Delegates in January 2024.
- [S7524/A10350](#), a bill which would expand current authority for the use of e-filing in the courts. This bill was supported by Committee on Court Structure and Operations' [2012 Report](#) along with the [2023 Report](#) by the Task Force on the Modernization of Criminal Practice.
- [S206-A/A1432-A](#), a bill which removes the lifetime ban on jury duty for convicted felons. This bill is supported by the Task Force on Racism, Social Equity and the Law's [2023 Report](#).
- [S7567-A/A9143](#), a bill to ensure state-paid judges and justices receive death benefits even if they were not retired by the time of their death. [A resolution](#) was adopted by the Association in 2015 to support this policy.
- [S5414/A5366](#), a concurrent resolution to remove the current constitutional cap on the number of supreme court justices, allowing the legislature to set the number of judges as they do for every other court. The Committee on the New York State Constitution supported this issue in their 2017 [Report on the Judiciary Article of the NYS Constitution](#).



Government
Relations

UPDATE

- [S9839/A10540](#), a bill which increases the number of Family Court judges throughout the state as well as increases the number of judges of the Civil Court of the City of New York. The Committee on Family and the Law's [2022 Report](#) supports this policy.