



Legislation Text

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Int. No. 2372-B

By Council Members Rivera, Brooks-Powers, Yeger, Brannan, Dinowitz, Van Bramer, Koo, Kallos, Cumbo, Menchaca, Rosenthal, Ampry-Samuel, Adams, Ayala, Louis, Grodenchik, Gibson, Levine, D. Diaz, Cornegy, Rose, Lander, Chin, Koslowitz, Feliz, Powers, Salamanca, Reynoso, Cabán and Maisel

A Local Law to amend the administrative code of the city of New York, in relation to creating a two year look-back window to the gender-motivated violence act, and extending its statute of limitations

Be it enacted by the Council as follows:

Section 1. Section 10-1104 of the administrative code of the city of New York, as renumbered and amended by local law 63 for the year 2018, is amended to read as follows:

§ 10-1104 Civil cause of action. Except as otherwise provided by law, any person claiming to be injured by [an individual] a party who commits, directs, enables, participates in, or conspires in the commission of a crime of violence motivated by gender has a cause of action against such [individual] party in any court of competent jurisdiction for any or all of the following relief:

- a. Compensatory and punitive damages;
- b. Injunctive and declaratory relief;
- c. Attorney's fees and costs; and
- d. Such other relief as a court may deem appropriate.

§ 2. Subdivision a of section 10-1105 of the administrative code of the city of New York, as renumbered and amended by local law number 63 for the year 2018, is amended to read as follows:

a. A civil action under this chapter shall be commenced within seven years after the alleged crime of violence motivated by gender occurred. If, however, due to injury or disability resulting from an act or acts giving rise to a cause of action under this chapter, or due to infancy as defined in the civil procedure law and

rules, a person entitled to commence an action under this chapter is unable to do so at the time such cause of action accrues, then the time within which the action must be commenced shall be extended to [seven] nine years after the inability to commence the action ceases. Notwithstanding any provision of law that imposes a period of limitation to the contrary, any civil claim or cause of action brought under this chapter that is barred because the applicable period of limitation has expired is hereby revived and may be commenced not earlier than six months after, and not later than two years and six months after, September 1, 2022.

§ 2. This local law takes effect immediately.

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MKW/SMD/ZEH