

STATE OF NEW YORK

3542

2023-2024 Regular Sessions

IN SENATE

January 31, 2023

Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the general obligations law and the state technology law, in relation to electronic signatures and salvage title

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

1 Section 1. Section 5-1501B of the general obligations law is amended
2 by adding a new subdivision 6 to read as follows:

3 6. Nothing in this title shall prohibit the execution of a valid power
4 of attorney for the purpose of transferring a salvage certificate of
5 title and the execution of an odometer and damage disclosure statement
6 in connection with such title by electronic means pursuant to article
7 three of the state technology law.

8 § 2. Subdivision 1 of section 307 of the state technology law, as
9 amended by chapter 222 of the laws of 2021, is amended to read as
10 follows:

11 1. To any document providing for the disposition of an individual's
12 person or property upon death or incompetence, or appointing a fiduciary
13 of an individual's person or property, including, without limitation,
14 wills, trusts, decisions consenting to orders not to resuscitate, powers
15 of attorney and health care proxies, with the exception of: (a) contrac-
16 tual beneficiary designations; (b) the registration of making, amending,
17 or revoking an anatomical gift under section forty-three hundred ten of
18 the public health law; [and] (c) documents and forms authorizing or
19 accepting funeral, cemetery and cremation services; and (d) whenever a
20 loss in connection with a private automobile is determined by an insurer
21 to be a total loss or constructive total loss under section thirty-four
22 hundred twelve of the insurance law, for the purpose of transferring a
23 salvage certificate of title and the execution of an odometer and
24 disclosure statement in connection with such title, the electronic
25 execution of a power of attorney shall be permissible provided that
26 signature is authenticated.

27 § 3. This act shall take effect immediately.

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

LBD06816-01-3