S T A T E O F N E W Y O R K

1451

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. WRIGHT -- read once and referred to the Committee on Judiciary

AN ACT to amend the estates, powers and trusts law, in relation to actions for negligent administration of an estate

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The estates, powers and trusts law is amended by adding a new section 11-3.5 to read as follows:

S 11-3.5 ACTION BY BENEFICIARIES AND DISTRIBUTEES

NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, A BENEFICIARY OR DISTRIBUTEE ENTITLED TO TAKE UNDER A WILL MAY BRING A CAUSE OF ACTION AGAINST THE ATTORNEY WHO ADMINISTERED SUCH WILL FOR THE NEGLIGENT ADMINISTRATION THEREOF.

S 2. This act shall take effect immediately.

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

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