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

8771

2009-2010 Regular Sessions

I N A S S E M B L Y

June 5, 2009

Introduced by M. of A. P. RIVERA -- read once and referred to the Committee on Mental Health, Mental Retardation and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to notifying the local department of social services upon the death of an incapacitated person

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

Section 1. Paragraph 1 of subdivision (c) of section 81.44 of the mental hygiene law, as added by chapter 175 of the laws of 2008, is amended to read as follows:

1. serve a copy of the statement of death upon the court examiner, the duly appointed personal representative of the decedent's estate, or, if no [person] PERSONAL representative has been appointed, then upon the personal representative named in the decedent's will or any trust instrument, if known, UPON THE LOCAL DEPARTMENT OF SOCIAL SERVICES and upon the public administrator of the chief fiscal officer of the county in which the guardian was appointed, and

S 2. This act shall take effect immediately.

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

LBD14191-01-9