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

2976

2009-2010 Regular Sessions

I N S E N A T E

March 9, 2009

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

AN ACT to amend the estates, powers and trusts law, in relation to the revocatory effect of a child born after the execution of a will

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

Section 1. Section 5-3.2 of the estates, powers and trusts law is amended by adding a new paragraph (d) to read as follows:

(D) FOR PURPOSES OF THIS SECTION, A NON-MARITAL CHILD, BORN AFTER THE EXECUTION OF A LAST WILL SHALL BE CONSIDERED AN AFTER-BORN CHILD OF HIS OR HER FATHER WHERE PATERNITY IS ESTABLISHED PURSUANT TO SECTION 4-1.2 OF THIS CHAPTER.

S 2. This act shall take effect immediately and shall apply to all actions and proceedings commenced on or after such effective date.

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

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