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I N S E N A T E

January 25, 2010

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

AN ACT to amend the surrogate's court procedure act, in relation to the filing by a public administrator of an inforamatory accounting for a small estate

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

1 Section 1. Paragraph (c) of subdivision 2 of section 1213 of the
2 surrogate's court procedure act, as amended by chapter 655 of the laws
3 of 1993, is amended to read as follows:
4 (c) File in the court after the expiration of 7 months from the time
5 he OR SHE commences to act as fiduciary of the estate an inforamatory
6 account in estates in which the gross value of the assets accounted for
7 [is less than \$5,000] DOES NOT EXCEED THE MONETARY AMOUNT DEFINED AS A
8 SMALL ESTATE PURSUANT TO SECTION 1301 OF THIS ACT and a copy of such
9 account shall be mailed by certified mail, return receipt requested, to
10 each of the persons entitled to receive process upon an accounting
11 proceeding provided the names and addresses of such persons be known to
12 him OR HER. Unless objection or claim be properly filed in the court
13 within 30 days from mailing such account a final decree settling his OR
14 HER account may be entered without further notice or proceedings and
15 with the same effect as in an accounting proceeding and he OR SHE shall
16 be entitled to the commissions, costs and allowances allowed him OR HER
17 by the court in the decree.
18 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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