

5019

2011-2012 Regular Sessions

I N A S S E M B L Y

February 10, 2011

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

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

3 S 11-3.5 ACTION BY BENEFICIARIES AND DISTRIBUTEES

4 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, A BENEFI-
5 CIARY OR DISTRIBUTEES ENTITLED TO TAKE UNDER A WILL MAY BRING A CAUSE OF
6 ACTION AGAINST THE ATTORNEY WHO ADMINISTERED SUCH WILL FOR THE NEGLIGENT
7 ADMINISTRATION THEREOF.

8 S 2. This act shall take effect immediately.

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

LBD03582-01-1