

7638

2015-2016 Regular Sessions

I N   A S S E M B L Y

May 20, 2015

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Introduced by M. of A. SEAWRIGHT, WEINSTEIN -- (at request of the Office of Court Administration) -- read once and referred to the Committee on Judiciary

AN ACT to amend the estates, powers and trusts law, in relation to the revocatory effect of divorce and relatives of a former spouse

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

1     Section 1. Section 5-1.4 of the estates, powers and trusts law is  
2 amended by adding a new paragraph (g) to read as follows:  
3     (G) THE REVOCATORY EFFECT OF PARAGRAPH (A) SHALL BE PRESUMED TO APPLY  
4 TO A PERSON IN ANY RELATIONSHIP TO THE DIVORCED INDIVIDUAL THAT WAS  
5 BASED UPON SAID MARRIAGE, INCLUDING BUT NOT LIMITED TO STEPCHILDREN,  
6 STEPGRANDCHILDREN AND PARENTS-IN-LAW, UNLESS THERE IS SUBSTANTIAL  
7 EVIDENCE OF THE DIVORCED INDIVIDUAL'S CONTRARY INTENTION. TESTIMONY WITH  
8 REGARD TO SUCH INTENTION SHALL NOT BE DISQUALIFIED UNDER CPLR 4519  
9 PROVIDED THAT SUCH TESTIMONY IS SUPPORTED BY OTHER EVIDENCE.  
10     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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