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

7741--A

2015-2016 Regular Sessions

I N A S S E M B L Y

May 26, 2015

Introduced by M. of A. STIRPE, MAGNARELLI, MAGEE -- read once and referred to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the surrogate's court procedure act, in relation to requirements for a petition for a judicial appointment of a standby guardian of an infant; and to repeal subparagraph (ii) of paragraph (b) of subdivision 3 of section 1726 of the surrogate's court procedure act, relating thereto

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

Section 1. Subparagraph (i) of paragraph (d) of subdivision 3 of section 1726 of the surrogate's court procedure act, as amended by chapter 632 of the laws of 2003, is amended to read as follows:

(i) If the court finds that the [petitioner suffers from a progressively chronic illness or an irreversibly fatal illness and that the] interests of the infant will be promoted by the appointment of a standby guardian of the person and/or property it must make a decree accordingly.

S 2. Subparagraph (ii) of paragraph (b) of subdivision 3 of section 1726 of the surrogate's court procedure act is REPEALED.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.

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

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