

# STATE OF NEW YORK

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448

2017-2018 Regular Sessions

## IN ASSEMBLY

January 9, 2017

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Introduced by M. of A. STIRPE -- read once and referred to the Committee on Judiciary

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:

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

4 (i) If the court finds that the [~~petitioner suffers from a progres-~~  
5 ~~sively chronic illness or an irreversibly fatal illness and that the~~]  
6 interests of the infant will be promoted by the appointment of a standby  
7 guardian of the person and/or property it must make a decree according-  
8 ly.

9 § 2. Subparagraph (ii) of paragraph (b) of subdivision 3 of section  
10 1726 of the surrogate's court procedure act is REPEALED.

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

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

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