STATE OF NEW YORK

1726

2019-2020 Regular Sessions

IN ASSEMBLY

January 16, 2019

Introduced by M. of A. SIMON, GOTTFRIED, ORTIZ, ABINANTI, DICKENS, MOSLEY, D'URSO, BRABENEC, MONTESANO, McDONOUGH, SCHIMMINGER, SANTABARBARA -- read once and referred to the Committee on Judiciary

AN ACT to amend the surrogate's court procedure act and the estates, powers and trusts law, in relation to the filing of wills for safekeeping

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph (v) of subdivision 9 of section 2402 of the surrogate's court procedure act, as amended by section 30 of part J of chapter 62 of the laws of 2003, is amended to read as follows:

(v) a will for safekeeping pursuant to section 2507 of this act except that the court in any county may reduce or dispense with such fee .....[~~45.00~~] **20.00**

§ 2. Paragraph (a) of section 3-2.1 of the estates, powers and trusts law is amended by adding a new subparagraph 5 to read as follows:

(5) One hundred twenty days after the effective date of this subparagraph, such will shall be filed with the court of any county in which the testator is a domiciliary, pursuant to section twenty-five hundred seven of the surrogate's court procedure act; provided, however, that a will which satisfies all other requirements of this section shall not be deemed unenforceable solely for the failure to file such will pursuant to this subparagraph.

§ 3. 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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