

# STATE OF NEW YORK

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540

2019-2020 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 9, 2019

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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 79 of the laws of 2018, 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, or finds that~~  
6 ~~the petitioner may become subject to administrative separation, and that~~  
7 ~~the~~] interests of the infant will be promoted by the appointment of a  
8 standby guardian of the person and/or property it must make a decree  
9 accordingly.

10 § 2. Subparagraph (ii) of paragraph (b) of subdivision 3 of section  
11 1726 of the surrogate's court procedure act is REPEALED.

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

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

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