STATE OF NEW YORK

5450

2019-2020 Regular Sessions

IN ASSEMBLY

February 12, 2019

Introduced by M. of A. BARCLAY, BLANKENBUSH, FINCH, HAWLEY, STEC, TAGUE, MANKTELOW, BYRNES -- Multi-Sponsored by -- M. of A. CROUCH, DiPIETRO, PALMESANO, SALKA, THIELE -- read once and referred to the Committee on Judiciary

AN ACT to amend the estates, powers and trusts law, in relation to the distribution of a decedent's estate

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

Section 1. The estates, powers and trusts law is amended by adding a new section 4-1.7 to read as follows:

§ 4-1.7 Disqualification of certain persons from taking a distributive share

(a) No distributive share in the estate of a decedent shall be allowed to a person convicted of committing or attempting to commit a sex offense defined in article one hundred thirty of the penal law where the victim was the decedent.

(b) In the event that a person is disqualified from taking a distributive share in the estate of a decedent, under this section, the estate of such decedent shall be distributed in accordance with 4-1.1 as though such person had predeceased the decedent.

§ 2. This act shall take effect on the first of January next succeeding the date on which 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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