STATE OF NEW YORK

540

2019-2020 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 9, 2019

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:

Section 1. Subparagraph (i) of paragraph (d) of subdivision 3 of section 1726 of the surrogate's court procedure act, as amended by chapter 79 of the laws of 2018, 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, or finds that the petitioner may become subject to administrative separation, 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.

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 Subparagraph (ii) of paragraph (b) of subdivision 3 of section 1726 of the surrogate's court procedure act is REPEALED.

§ 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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