

# 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:

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

3 § 4-1.7 Disqualification of certain persons from taking a distributive  
4 share

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

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

13 § 2. This act shall take effect on the first of January next succeed-  
14 ing 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.

LBD02393-01-9