STATE OF NEW YORK

5729

2019-2020 Regular Sessions

IN SENATE

May 13, 2019

Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the general obligations law and the state technology law, in relation to electronic signatures and salvage title

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

Section 1. Section 5-1501B of the general obligations law is amended by adding a new subdivision 5 to read as follows:

5. Nothing in this title shall prohibit the execution of a valid power of attorney for the purpose of transferring a salvage certificate of title and the execution of an odometer and damage disclosure statement in connection with such title by electronic means pursuant to article three of the state technology law.

§ 2. Subdivision 1 of section 307 of the state technology law, as amended by chapter 158 of the laws of 2012, is amended to read as follows:

1. To any document providing for the disposition of an individual's person or property upon death or incompetence, or appointing a fiduciary of an individual's person or property, including, without limitation, wills, trusts, decisions consenting to orders not to resuscitate, powers of attorney and health care proxies, with the exception of: (a) contractual beneficiary designations; [~~and~~] (b) the registration of making, amending, or revoking an anatomical gift under section forty-three hundred ten of the public health law**; and (c) whenever a loss in connection with a private automobile is determined by an insurer to be a total loss or constructive total loss under section thirty-four hundred twelve of the insurance law, for the purpose of transferring a salvage certificate of title and the execution of an odometer and disclosure statement in connection with such title, the electronic execution of a power of attorney shall be permissible provided that signature is authenticated**.

§ 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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