STATE OF NEW YORK

6175

2019-2020 Regular Sessions

IN SENATE

May 21, 2019

Introduced by Sen. KAPLAN -- (at request of the Office of Court Administration) -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the estates, powers and trusts law, in relation to the revocatory effect of divorce and relatives of a former spouse

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

Section 1. Section 5-1.4 of the estates, powers and trusts law is amended by adding a new paragraph (g) to read as follows:

(g) The revocatory effect of paragraph (a) shall be presumed to apply to a person in any relationship to the divorced individual that was based upon said marriage, including but not limited to stepchildren, stepgrandchildren and parents-in-law, unless there is substantial evidence of the divorced individual's contrary intention. Testimony with regard to such intention shall not be disqualified under CPLR 4519 provided that such testimony is supported by other evidence.

§ 2. This act shall take effect immediately.

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

LBD10065-01-9