

STATE OF NEW YORK

2402

2021-2022 Regular Sessions

IN ASSEMBLY

January 19, 2021

Introduced by M. of A. SIMON, COOK, DINOWITZ, GLICK -- Multi-Sponsored
by -- M. of A. BICHOTTE HERMELYN, COLTON, GOTTFRIED, HYNDMAN, LAVINE,
WALKER, WILLIAMS -- read once and referred to the Committee on Judici-
ary

AN ACT to amend the surrogate's court procedure act and the estates,
powers and trusts law, in relation to the filing of wills for safe-
keeping

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

- 1 Section 1. Paragraph (v) of subdivision 9 of section 2402 of the
2 surrogate's court procedure act, as amended by section 30 of part J of
3 chapter 62 of the laws of 2003, is amended to read as follows:
4 (v) a will for safekeeping pursuant to section 2507 of
5 this act except that the court in any county may
6 reduce or dispense with such fee[~~45.00~~] 20.00
- 7 § 2. Paragraph (a) of section 3-2.1 of the estates, powers and trusts
8 law is amended by adding a new subparagraph 5 to read as follows:
9 (5) One hundred twenty days after the effective date of this subpara-
10 graph, such will shall be filed with the court of any county in which
11 the testator is a domiciliary, pursuant to section twenty-five hundred
12 seven of the surrogate's court procedure act; provided, however, that a
13 will which satisfies all other requirements of this section shall not be
14 deemed unenforceable solely for the failure to file such will pursuant
15 to this subparagraph.
- 16 § 3. This act shall take effect immediately.

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

LBD01046-01-1