

STATE OF NEW YORK

7798

2021-2022 Regular Sessions

IN ASSEMBLY

May 21, 2021

Introduced by M. of A. SEAWRIGHT -- (at request of the Office of Court Administration) -- read once and referred 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:

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

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

10 § 2. 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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