

# 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:

Section 1. Paragraph (v) of subdivision 9 of section 2402 of the  
surrogate's court procedure act, as amended by section 30 of part J of  
chapter 62 of the laws of 2003, is amended to read as follows:

(v) a will for safekeeping pursuant to section 2507 of  
this act except that the court in any county may  
reduce or dispense with such fee .....[~~45.00~~] 20.00

§ 2. Paragraph (a) of section 3-2.1 of the estates, powers and trusts  
law is amended by adding a new subparagraph 5 to read as follows:

(5) One hundred twenty days after the effective date of this subpara-  
graph, such will shall be filed with the court of any county in which  
the testator is a domiciliary, pursuant to section twenty-five hundred  
seven of the surrogate's court procedure act; provided, however, that a  
will which satisfies all other requirements of this section shall not be  
deemed unenforceable solely for the failure to file such will pursuant  
to this subparagraph.

§ 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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