

# STATE OF NEW YORK

9767

## IN SENATE

April 6, 2026

Introduced by Sen. SEPULVEDA -- 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 value of a motor vehicle exempt from the provisions of a will or intestate distribution for the benefit of the family of a decedent

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

1 Section 1. Subparagraph 5 of paragraph (a) of section 5-3.1 of the  
2 estates, powers and trusts law, as amended by chapter 437 of the laws of  
3 2010, is amended to read as follows:

4 (5) One motor vehicle not exceeding in value [~~twenty-five~~ **fifty** thou-  
5 sand dollars. In the alternative, if the decedent shall have been the  
6 owner of one or more motor vehicles each of which exceed [~~twenty-five~~  
7 **fifty** thousand dollars in value, the surviving spouse or decedent's  
8 children may acquire one such motor vehicle from the estate, regardless  
9 of the fact that the decedent may also have been the owner of another  
10 motor vehicle of lesser value than [~~twenty-five~~ **fifty** thousand dollars,  
11 by payment to the estate of the amount by which the value of the motor  
12 vehicle exceeds [~~twenty-five~~ **fifty** thousand dollars; in lieu of receiv-  
13 ing such motor vehicle, the surviving spouse or children may elect to  
14 receive in cash an amount equal to the value of the motor vehicle, not  
15 to exceed [~~twenty-five~~ **fifty** thousand dollars. If any motor vehicle so  
16 acquired by the spouse or children of the decedent was a specific legacy  
17 in decedent's will, the payment to the estate of the amount by which the  
18 value of the motor vehicle exceeds [~~twenty-five~~ **fifty** thousand dollars  
19 shall vest in the specific legatee.

20 § 2. This act shall take effect on the first of January next succeed-  
21 ing the date on which it shall have become a law.

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

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