STATE OF NEW YORK

8306

2025-2026 Regular Sessions

IN ASSEMBLY

May 12, 2025

Introduced by M. of A. P. CARROLL -- (at request of the Department of Motor Vehicles) -- read once and referred 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:

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

(5) One motor vehicle not exceeding in value [~~twenty-five~~] **fifty** thousand dollars. In the alternative, if the decedent shall have been the owner of one or more motor vehicles each of which exceed [~~twenty-five~~] **fifty** thousand dollars in value, the surviving spouse or decedent's children may acquire one such motor vehicle from the estate, regardless of the fact that the decedent may also have been the owner of another motor vehicle of lesser value than [~~twenty-five~~] **fifty** thousand dollars, by payment to the estate of the amount by which the value of the motor vehicle exceeds [~~twenty-five~~] **fifty** thousand dollars; in lieu of receiving such motor vehicle, the surviving spouse or children may elect to receive in cash an amount equal to the value of the motor vehicle, not to exceed [~~twenty-five~~] **fifty** thousand dollars. If any motor vehicle so acquired by the spouse or children of the decedent was a specific legacy in decedent's will, the payment to the estate of the amount by which the value of the motor vehicle exceeds [~~twenty-five~~] **fifty** thousand dollars shall vest in the specific legatee.

§ 2. This act shall take effect on the first of January next succeeding 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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