STATE OF NEW YORK

8760

2025-2026 Regular Sessions

IN ASSEMBLY

June 2, 2025

Introduced by M. of A. CRUZ -- read once and referred to the Committee on Judiciary

AN ACT to amend the surrogate's court procedure act, in relation to persons ineligible to act as a fiduciary

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

Section 1. Subdivision 2 of section 707 of the surrogate's court procedure act, as amended by chapter 486 of the laws of 2021, is amended to read as follows:

2. Persons ineligible in court's discretion. The court may declare ineligible to act as fiduciary[~~:~~

~~(a) a person unable to read and write the English language; or~~

~~(b)~~] an individual convicted of a felony whose crime may be adverse to the welfare of the estate, including but not limited to, crimes such as embezzlement or any crime where there was a misappropriation of money or a breach of fiduciary duty.

§ 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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