

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:

- 1 Section 1. Subdivision 2 of section 707 of the surrogate's court
2 procedure act, as amended by chapter 486 of the laws of 2021, is amended
3 to read as follows:
4 2. Persons ineligible in court's discretion. The court may declare
5 ineligible to act as fiduciary[+
6 ~~(a) a person unable to read and write the English language, or~~
7 ~~(b)~~] an individual convicted of a felony whose crime may be adverse to
8 the welfare of the estate, including but not limited to, crimes such as
9 embezzlement or any crime where there was a misappropriation of money or
10 a breach of fiduciary duty.
11 § 2. This act shall take effect immediately.

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

LBD13214-01-5