STATE OF NEW YORK

10684

IN SENATE

August 19, 2026

Introduced by Sen. PALUMBO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the estates, powers and trusts law, in relation to the signature or attesting witnesses to a will

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

Section 1. Subparagraph 4 of paragraph (a) of section 3-2.1 of the estates, powers and trusts law, as amended by chapter 181 of the laws of 1974, is amended to read as follows:

(4) There shall be at least two attesting witnesses, who shall, within one thirty day period, **whether the testator is alive or not,** both attest the testator's signature, as affixed or acknowledged in their presence, and at the request of the testator, sign their names and affix their residence addresses at the end of the will. There shall be a rebuttable presumption that the thirty day requirement of the preceding sentence has been fulfilled. The failure of a witness to affix [~~his~~] **the witness'** address shall not affect the validity of the will.

§ 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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