STATE OF NEW YORK

9582

IN SENATE

March 26, 2026

Introduced by Sen. GONZALEZ -- read twice and ordered printed, and when printed to be committed 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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