



Government
Relations

UPDATE

2024 State Legislative Update: Trust and Estates Law Section

We've come to the end of the 2024 Legislative Session, with several actions taken by the Legislature that may be of interest to your section. Please reach out to the GR team with any questions about any particular legislation of interest that you don't see on the following list. Any memoranda and letters drafted by the section in support or opposition to legislation were shared by the Government Relations team, and the team looks forward to working with the section as we move into the second half of 2024.

Legislation of Interest

Passed by the Legislature:

- S8663(Hoylman-Sigal)/A7241-A(Lavine): Relates to limiting recordkeeping and reporting duties of public notaries. This bill passed both houses and will go to the Governor for signature or veto by the end of the year.
- S8485-B(Hoylman-Sigal)/A9232-B(Weinstein): Provides for the types of damages that may be awarded to the persons for whose benefit an action for wrongful death is brought. This bill passed both houses and will go to the Governor for signature or veto by the end of the year.
- A9230-B(Wallace)/S9383-A(Sanders): Establishes multiple-person accounts; repealer. This bill passed both houses and will go to the Governor for signature or veto by the end of the year.

Not Passed:

- A7750(Lavine): Provides statutory provisions for proving and establishing lost or destroyed lifetime trusts. This bill was introduced in the Assembly but had no movement. It does not have a same-as in the Senate.
- A7662(Weinstein): Expands the list of transactions that constitute testamentary substitutes to include transfer-on-death securities. This bill was introduced in the Assembly but had no movement. It does not have a same-as in the Senate.
- A6698(Weinstein)/S6636(Hoylman-Sigal): Provides for the types of damages that may be awarded to the persons for whose benefit an action for wrongful death is brought. This legislation passed both houses in 2023 but was vetoed by the Governor. It was not reintroduced in 2024.
- A1726(Dinowitz): Relates to providing a presumption that credit shelter bequests be construed to set aside the maximum amount that may be shielded from both federal and state estate taxes. This bill was introduced in the Assembly but had no movement. It does not have a same-as in the Senate.

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UPDATE

- A2095(Meeks): Requires a liability insurer that has an opportunity to settle a claim or within the policy limits, and refuse to do so, to be liable for any verdict in excess of the insurance policy limits. This bill was introduced in the Assembly but had no movement. It does not have a same-as in the Senate.
- S3260(Hoylman-Sigal)/A10019(Braunstein): Relates to the disqualification of a surviving spouse. This bill passed the Senate but did not move out of committee in the Assembly.
- A995-C(Paulin)/S2445-C(Hoylman-Sigal): Relates to the medical aid in dying act (MAID). This bill was amended a number of times but did not make it out of committee in either house.
- A570(Carroll): Establishes a division of the public administrator within the office of the corporation counsel for the city of new York; repealer. This bill was introduced in the Assembly but had not movement. It does not have a same-as in the Senate.
- S4342(Sepulveda)/A4269(Steck): Relates to persons who may become a voluntary administrator. This bill passed the Senate but had no movement in the Assembly.
- A3193(Solages)/S2782(Brisport): Establishes separate taxes on inheritance income and on gift income. This bill did not move in either house.
- A7702-A(Lavine)/S8501(Hoylman-Sigal): Relates to enacting provisions for the execution of electronic wills. This bill was committed to the rules committee in the Senate but did not move in the Assembly.
- A7708-A(Zebrowski)/S3503-A(Skoufis): Relates to requiring principals to notify co-trustees and co-beneficiaries of the signing of a power of attorney. This bill was committed to the rules committee in the Senate but did not move in the Assembly.
- S7475(Hoylman-Sigal): Relates to the computation and allocation of the commissions of trustees of charitable trusts; repealer. This bill passed the Senate but did not have a same-as in the Assembly.
- S9477(Cooney)/A1578-A(Wallace): Establishes joint and survivorship accounts. This bill had some movement in the Senate early in the session, but then lost its Senate sponsor in early May. It was reintroduced by a new sponsor in the Senate but then had little to no movement in either house.

NYSBA saw a number of bills supported by Association policy pass in both houses this session, including:

- Among NYSBA's legislative priorities for 2024 was the passage of [A7241-A\(Lavine\)/S8663\(Hoylman-Sigal\)](#), a bill which would exempt non-electronic notarial acts from the record-keeping rules and regulations set forth by the Department of State.
- [S895-B/A6789-B](#), a bill which requires disclosure of certain social media terms of service. This bill was supported by the Task Force on Combatting Antisemitism and Anti-Asian Hate's [Report](#), adopted by NYSBA's House of Delegates in January 2024.
- [S7524/A10350](#), a bill which would expand current authority for the use of e-filing in the courts. This bill was supported by Committee on Court Structure and Operations' [2012 Report](#) along with the [2023 Report](#) by the Task Force on the Modernization of Criminal Practice.
- [S206-A/A1432-A](#), a bill which removes the lifetime ban on jury duty for convicted felons. This bill is supported by the Task Force on Racism, Social Equity and the Law's [2023 Report](#).



UPDATE

- [S7567-A/A9143](#), a bill to ensure state-paid judges and justices receive death benefits even if they were not retired by the time of their death. [A resolution](#) was adopted by the Association in 2015 to support this policy.
- [S5414/A5366](#), a concurrent resolution to remove the current constitutional cap on the number of supreme court justices, allowing the legislature to set the number of judges as they do for every other court. The Committee on the New York State Constitution supported this issue in their 2017 [Report on the Judiciary Article of the NYS Constitution](#).
- [S9839/A10540](#), a bill which increases the number of Family Court judges throughout the state as well as increases the number of judges of the Civil Court of the City of New York. The Committee on Family and the Law's [2022 Report](#) supports this policy.