



### **2025 State Legislative Update: Trust and Estates Law Section**

We've come to the end of the 2025 Legislative year, with several actions taken by the Legislature and the Governor 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 2026 Legislative Session.

#### **Legislation of Interest**

##### **Passed by the Legislature:**

- A7856-A(Lavine)/S7416-A(Hoylman-Sigal): Relates to enacting provisions for the execution of electronic wills. The section actively worked with the sponsor's office on this bill and supported it [with a memo](#). This bill was chaptered by the Governor and will go into effect June 2027.
- A8408(Dais)/S8175(Sepulveda): Allows certain methods for service of process. This bill was chaptered by the Governor and takes effect immediately. The Section supported this bill with [a memo](#) and a letter to the Governor.
- A7949-A(Pheffer Amato)/S7314-C(Jackson): Permits surviving spouses of certain retirement plan members to retain certain benefits upon remarriage. This bill was chaptered by the Governor and takes effect immediately.
- S8373(Hoylman-Sigal)/A8300(McMahon): Relates to the computation and allocation of the commissions of trustees of charitable trusts; repealer. This bill was chaptered by the Governor and takes effect end of January 2026.
- A6063(Lunsford)/S4423(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 bill was vetoed by the Governor.

##### **Not Passed:**

- A3381(Lavine)/S7498(Gounardes): Relates to proving lost or destroyed lifetime trusts. This bill did not move in either house. The Section [submitted a memo](#) in support of this legislation.
- A1387(Dinowitz): Relates to shielding certain bequests from both federal and state estate taxes. This bill was not introduced in the Senate and did not move in the Assembly.
- A2049(Solages)/S914(Brisport): Establishes separate taxes on inheritance income and on gift income. This bill did not move in either house.
- A3209(Santabarbara)/S2532(May): Eliminates certain will filing fees. This bill did not move in either house.

Matthew Pennello | Director of Government Relations | [mpennello@nysba.org](mailto:mpennello@nysba.org)

Lena Faustel | Government Relations Policy Manager | [lfaustel@nysba.org](mailto:lfaustel@nysba.org)

Hilary Jochmans | Policy Consultant | [HFJ@JochmansConsulting.com](mailto:HFJ@JochmansConsulting.com)

**NYSBA.ORG/GOVERNMENTRELATIONS**

- A3328(Bronson)/S1015(Brouk): Prohibits an individual convicted of a crime involving elder abuse from inheriting from the elder's estate as a distributee. This bill passed the Senate but did not move in the Assembly.
- A3889(Meeks): Requires a liability insurer that has an opportunity to settle a claim at or within the policy limits, and refuses to do so, to be liable for any verdict in excess of the insurance policy limits. This bill was not introduced in the Senate and did not move in the Assembly.
- A6280(Steck)/S5285(Sepulveda): Relates to persons who may become a voluntary administrator. This bill passed the Senate, but did not move in the Assembly.
- S1293(Borrello): Prevents the financial exploitation of older and vulnerable adults. This bill was not introduced in the Assembly and did not move in the Assembly.
- S3262(Cooney)/A6266(Bores): Establishes requirements for the creation and operation of limited purpose trust companies. This bill passed the Senate but did not move in the Assembly.
- S3737(Sanders)/A7708(Lavine): Prevents fraudulent deed transfers. This bill showed some movement in the Senate but did not pass either house.
- S4999(Hoylman-Sigal)/A7069(Braunstein): Relates to the disqualification of a surviving spouse. This bill passed the Senate but did not move in the Assembly.
- S5278(Sepulveda): Relates to establishing new fee rates for large estates. This bill passed the Senate but was not introduced in the Assembly.

See [here](#) for NYSBA's Government Relation's End of Year Legislative Update.

Matthew Pennello | Director of Government Relations | [mpennello@nysba.org](mailto:mpennello@nysba.org)

Lena Faustel | Government Relations Policy Manager | [lfaustel@nysba.org](mailto:lfaustel@nysba.org)

Hilary Jochmans | Policy Consultant | [HFJ@JochmansConsulting.com](mailto:HFJ@JochmansConsulting.com)

**NYSBA.ORG/GOVERNMENTRELATIONS**