

A 4392 Weinstein Same as [S 1728](#) SAMPSON

General Obligations Law

TITLE....Delays from March 1, 2009 until
September 1, 2009, the effective date of
amendments to the provisions of law providing
for powers of attorney

02/03/09 referred to judiciary

02/10/09 reported referred to rules

02/10/09 reported

02/10/09 rules report cal.3

02/10/09 ordered to third reading rules cal.3

02/10/09 passed assembly

02/10/09 delivered to senate

02/10/09 REFERRED TO JUDICIARY

02/24/09 SUBSTITUTED FOR S1728

02/24/09 3RD READING CAL.20

02/24/09 PASSED SENATE

02/24/09 RETURNED TO ASSEMBLY

02/24/09 delivered to governor

02/25/09 signed chap.4

S1728 SAMPSON Same as [A 4392](#) Weinstein

ON FILE: 02/06/09 Judiciary

TITLE....Delays from March 1, 2009 until
September 1, 2009, the effective date of
amendments to the provisions of law providing for
powers of attorney

02/05/09 REFERRED TO JUDICIARY

02/10/09 1ST REPORT CAL.20

02/11/09 2ND REPORT CAL.

02/23/09 ADVANCED TO THIRD READING

02/24/09 SUBSTITUTED BY A4392

A04392 Weinstein

02/03/09 referred to judiciary

02/10/09 reported referred to rules

02/10/09 reported

02/10/09 rules report cal.3

02/10/09 ordered to third reading rules cal.3

02/10/09 passed assembly

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02/24/09 3RD READING CAL.20

02/24/09 PASSED SENATE

02/24/09 RETURNED TO ASSEMBLY

02/24/09 delivered to governor

02/25/09 signed chap.4

STATE OF NEW YORK

4392

2009-2010 Regular Sessions

IN ASSEMBLY

February 3, 2009

Introduced by M. of A. WEINSTEIN -- read once and referred to the
Committee on Judiciary

AN ACT to amend chapter 644 of the laws of 2008, amending the general
obligations law relating to powers of attorney, in relation to delay-
ing the effective date thereof

**The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:**

1 Section 1. Section 21 of chapter 644 of the laws of 2008, amending the
2 general obligations law relating to powers of attorney, is amended to
3 read as follows:

4 § 21. This act shall take effect on the first of [~~March~~] **September**
5 next succeeding the date on which it shall have become a law; provided
6 that the provisions of this act shall apply to all powers of attorney
7 executed on or after the effective date of this act and the provisions
8 of this act shall not affect the validity of any power of attorney or
9 the conveyance of authority to an attorney-in-fact or agent contained in
10 a power of attorney executed prior to the effective date of this act if
11 such power of attorney was valid at the time of its execution; except
12 that sections eleven, twelve and eighteen of this act, and sections
13 5-1505 and 5-1510 of the general obligations law, as added by section
14 nineteen of this act, shall also apply to all powers of attorney
15 executed prior to the effective date of this act.

16 § 2. This act shall take effect immediately.

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

LBD08580-01-9

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER: A4392

SPONSOR: Weinstein

TITLE OF BILL: An act to amend chapter 644 of the laws of 2008, amending the general obligations law relating to powers of attorney, in relation to delaying the effective date thereof

PURPOSE OF BILL: This bill enacts a chapter amendment to Assembly bill A.6421-B, Chapter 644 of the laws of 2009 changing the enactment date from March 1, 2009 to September 1, 2009.

JUSTIFICATION: Assembly bill A.6421-B, Chapter 644 of the laws of 2009 was signed into law on 1/27/09 with an enactment date of March 1, 2009. Since A.6421-B provides a comprehensive change in the law regarding power of attorney requirements, additional time is needed to educate the legal community regarding this change. Therefore, the enactment date is changed to September 1, 2009.

LEGISLATIVE HISTORY: New Bill, 2009 - Chapter Amendment to Ch. 644 '08.

FISCAL IMPLICATIONS FOR STATE AND LOCAL GOVERNMENTS: None.

EFFECTIVE DATE: Immediately.

LAWS OF NEW YORK, 2009

CHAPTER 4

AN ACT to amend chapter 644 of the laws of 2008, amending the general obligations law relating to powers of attorney, in relation to delaying the effective date thereof

Became a law February 25, 2009, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

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

Section 1. Section 21 of chapter 644 of the laws of 2008, amending the general obligations law relating to powers of attorney, is amended to read as follows:

§ 21. This act shall take effect on the first of [~~March~~] September next succeeding the date on which it shall have become a law; provided that the provisions of this act shall apply to all powers of attorney executed on or after the effective date of this act and the provisions of this act shall not affect the validity of any power of attorney or the conveyance of authority to an attorney-in-fact or agent contained in a power of attorney executed prior to the effective date of this act if such power of attorney was valid at the time of its execution; except that sections eleven, twelve and eighteen of this act, and sections 5-1505 and 5-1510 of the general obligations law, as added by section nineteen of this act, shall also apply to all powers of attorney executed prior to the effective date of this act.

§ 2. This act shall take effect immediately.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

MALCOLM A. SMITH
Temporary President of the Senate

SHELDON SILVER
Speaker of the Assembly

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