

NEW YORK STATE EXEMPTION STATUTES

FEDERAL BANKRUPTCY EXEMPTIONS ARE NOT AVAILABLE.

All law references are to Consolidated Laws of New York, Civil Practice Law & Rules, unless otherwise noted.

ASSET	EXEMPTION	LAW PROVISION
Homestead	Real property including co-op, condo or mobile home, to \$10,000 Husband & wife may double	5206(a) <i>In re Pearl</i> , 723 F.2d 193 (2 nd Cir. 1983)
Insurance	Annuity contract benefits due or prospectively due the debtor, who paid for the contract; if purchased within 6 months prior & not tax-deferred, only \$5000 Disability or illness benefits to \$400 per month Life insurance proceeds left at death with the insurance company pursuant to agreement, if clause prohibits proceeds from being used to pay beneficiary's creditors Life insurance proceeds and avails if the person effecting the policy is the spouse of the insured	Insurance 3212(d), Debtor & Creditor 283(1) Insurance 3212(c)
Miscellaneous	Alimony, child support needed for support Property of business partnership	Estates, Powers & Trusts 7-1.5(a)(2) Insurance 321(b)(2) Debtor & Creditor 282(2)(d) Partnership 51
Pensions	ERISA-qualified benefits needed for support, includes IRAs IRAs needed for support Keoghs needed for support Public retirement benefits State employees	Debtor & Creditor 282(2)(e), 5205(c) Debtor & Creditor 282(2)(e), 5205(c) Debtor & Creditor 282(2)(e), 5205(c) Insurance 4607 Retirement & Social Security 110
Personal Property	Village police officers Bible; schoolbooks; books to \$50; pictures; clothing; church pew or seat; stoves with fuel to last 60 days; sewing machine; domestic animal with food to last 60 days, to \$450; food to last 60 days; furniture; refrigerator; TV; radio; wedding ring; watch to \$35; crockery, cooking utensils and tableware needed, to \$5000 total (with farm machinery, etc.) Burial plot, without structure to ¼ acre Cash, the lesser of either \$2500, or an amount that, with annuity, totals \$5000; in lieu of homestead Health aids, including animals with food Lost earnings recoveries needed for support Motor vehicle to \$2400 Personal injury recoveries to \$7500 (not to include pain and suffering) Security deposits to landlord, utility company Trust fund principal, to 90% of income Wrongful death recoveries for person you depended on, needed for support	Unconsolidated 5711-o 5205(1)-(6), Debtor & Creditor 283(1) 5206(f) Debtor & Creditor 283(2) 5205(h) Debtor & Creditor 282(3)(iv) Debtor & Creditor 282(1) Debtor & Creditor 282(3)(iii) 5205(g) 5205(c), (d) Debtor & Creditor 282(3)(ii)
Public Benefits	Aid to blind, aged, disabled, AFDC Crime victims' compensation Home relief, local public assistance Social security Unemployment compensation Veterans' benefits Workers' compensation	Debtor & Creditor 282(2)(c) Debtor & Creditor 282(3)(i) Debtor & Creditor 282(2)(a) Debtor & Creditor 282(2)(a) Debtor & Creditor 282(2)(a) Debtor & Creditor 282(2)(b) Debtor & Creditor 282(2)(c)
Tools of Trade	Farm machinery, team, food for 60 days, professional furniture, books & instruments to \$600 total Uniforms, medal, equipments, Emblem, horse, arms and sword of military member	5205(b) 5205(e)
Wages	90% of earnings from milk sales to milk dealers 90% of earned but unpaid wages received within 60 days prior (100% for a few militia members)	5205(f)
Wild Card	None	5205(d), (e)