

5429

2011-2012 Regular Sessions

I N S E N A T E

May 20, 2011

Introduced by Sen. RANZENHOFER -- read twice and ordered printed, and
when printed to be committed to the Committee on Corporations, Author-
ities and Commissions

AN ACT to amend the not-for-profit corporation law, in relation to regu-
lation of cemetery corporations

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 1501 of the not-for-profit corporation law, as
2 added by chapter 871 of the laws of 1977, is amended to read as follows:
3 S 1501. Declaration of policy.
4 The people of this state have a vital interest in the establishment,
5 maintenance and preservation of [public] burial grounds and the proper
6 operation of the corporations which own and manage the same. This arti-
7 cle is determined an exercise of the police powers of this state to
8 protect the well-being of our citizens, to promote the public welfare
9 and to prevent cemeteries from falling into disrepair and dilapidation
10 and becoming a burden upon the community, and in furtherance of the
11 public policy of this state that cemeteries shall be conducted on a
12 non-profit basis for the mutual benefit of plot owners therein. THIS
13 VITAL INTEREST SHALL BE PROTECTED AND THE UNIQUENESS OF THESE ENTITIES
14 SHALL BE AFFIRMED BY PROVIDING THE STATE WITH THE RESPONSIBILITY FOR
15 SOLE JURISDICTION OF THE REGULATION OF CEMETERIES AS SET FORTH IN THIS
16 ARTICLE.
17 S 2. Paragraph (h) of section 1502 of the not-for-profit corporation
18 law, as added by chapter 579 of the laws of 2006, is amended to read as
19 follows:
20 (h) The term "cremation" means the technical process, using heat and
21 flame[,] OR ANY CHEMICAL PROCESSES that reduces human remains to ashes
22 [and] AND/OR other residue. "Cremation" shall ALSO include the process-
23 ing, and may include the pulverization, of such ashes and other residue.
24 S 3. 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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