

2582

2015-2016 Regular Sessions

I N   S E N A T E

January 26, 2015

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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 interments in certain cemetery corporations

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

1     Section 1. Section 1502 of the not-for-profit corporation law is  
2     amended by adding a new paragraph (q) to read as follows:  
3     (Q) THE TERM "PET CREMATED REMAINS" MEANS ASHES AND/OR OTHER RESIDUE  
4     RECOVERED AFTER THE COMPLETION OF CREMATION OF ANY DOMESTIC ANIMAL THAT  
5     HAS BEEN ADAPTED OR TAMED TO LIVE IN INTIMATE ASSOCIATION WITH PEOPLE  
6     WHERE SUCH CREMATION HAS OCCURRED AT A PET CREMATORIUM AS DEFINED IN  
7     SECTION SEVEN HUNDRED FIFTY-A OF THE GENERAL BUSINESS LAW.  
8     S 2. Section 1510 of the not-for-profit corporation law is amended by  
9     adding a new paragraph (n) to read as follows:  
10    (N) INTERMENT OF PET CREMATED REMAINS. THE INTERMENT OF PET CREMATED  
11    REMAINS IN A CEMETERY CORPORATION SHALL BE AVAILABLE TO A LOT OWNER ONLY  
12    IN THOSE CIRCUMSTANCES WHERE THE INTERMENT IS INCIDENTAL TO THE BURIAL  
13    OF HUMAN REMAINS AND WHERE AUTHORIZATION HAS BEEN PROVIDED IN A WRITTEN  
14    STATEMENT FROM THE CEMETERY CORPORATION. THE CEMETERY CORPORATION SHALL  
15    PROVIDE A LIST OF APPROVED CHARGES FOR THE INTERMENT OF SUCH REMAINS.  
16    ALL PAYMENTS RECEIVED FOR INTERMENT OF SUCH REMAINS SHALL BE DEPOSITED  
17    IN THE CEMETERY CORPORATION'S PERMANENT MAINTENANCE FUND. PET CREMATED  
18    REMAINS MUST BE DISPOSED OF BY PLACING THEM IN A GRAVE, CRYPT, OR NICHE.  
19    NOTHING IN THIS SECTION SHALL OBLIGATE A CEMETERY CORPORATION TO ALLOW  
20    INTERMENT OF SUCH CREMATED PET REMAINS WHERE PRIOR APPROVAL AT THE TIME  
21    OF SALE OR IN ADVANCE OF NEED HAS NOT BEEN RECEIVED. THE PROVISIONS OF  
22    THIS SECTION SHALL NOT APPLY TO AN INCORPORATED OR UNINCORPORATED CEME-  
23    TERY OPERATED, SUPERVISED OR CONTROLLED BY A RELIGIOUS CORPORATION OR A  
24    LOT, PLOT OR PART THEREOF WHOSE RECORD OWNER IS AN INCORPORATED OR UNIN-  
25    CORPORATED RELIGIOUS ASSOCIATION OR SOCIETY.  
26    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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