

STATE OF NEW YORK

5983

2023-2024 Regular Sessions

IN SENATE

March 24, 2023

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to requiring each certificate of death to also be filed with each board of elections within the state

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

1 Section 1. Section 4140 of the public health law, subdivision 1 as
2 amended by chapter 352 of the laws of 2013 and subdivision 3 as amended
3 by chapter 476 of the laws of 2002, is amended to read as follows:

4 § 4140. Deaths; registration. 1. The death of each person who has died
5 in this state shall be registered immediately and not later than seven-
6 ty-two hours after death or the finding of a dead human body, by filing
7 with the registrar of the district in which the death occurred or the
8 body was found a certificate of such death, in a manner and format as
9 prescribed by the commissioner, which shall include through electronic
10 means in accordance with section forty-one hundred forty-eight of this
11 title.

12 2. When a registrar files a certificate of death under subdivision one
13 of this section, such registrar shall also file a certificate of death
14 with each board of elections within the state in a manner prescribed by
15 such board of elections.

16 3. If the certificate of death is properly executed and complete, the
17 registrar of the district in which the death occurred shall then issue a
18 burial or removal permit to the funeral director or undertaker. In case
19 the death occurred from a disease which is designated in the sanitary
20 code as a communicable disease, no permit for the removal or other
21 disposition of the body shall be issued by the registrar, except to a
22 funeral director or undertaker licensed in accordance with the
23 provisions of this chapter, under such conditions as may be prescribed
24 in the sanitary code.

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

LBD06711-01-3

1 ~~3.~~ 4. The commissioner and the department of health of the city of
2 New York shall deliver to the state board of elections, at least month-
3 ly, records in a format as mutually determined by both agencies, of the
4 names of all persons of voting age for whom death certificates were
5 issued. Such records shall be arranged by county of residence and shall
6 include the name, residence address and birth date of each such person.
7 § 2. This act shall take effect on the thirtieth day after it shall
8 have become a law.