

STATE OF NEW YORK

220

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. EACHUS -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to the disposal of human remains which have been deemed abandoned

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

1 Section 1. Section 4201 of the public health law is amended by adding
2 a new subdivision 12 to read as follows:

3 12. If the remains of a decedent in the possession of an undertaker,
4 administrator, executor, authorized representative of a deceased person,
5 corporation, company or association, or other person having lawful
6 possession of such remains are not acted upon within one hundred twenty
7 days of receipt of such remains due to a lack of burial or other dispo-
8 sition plan made by the person in control of disposition, pursuant to
9 paragraph (a) of subdivision two of this section, such remains shall be
10 considered "abandoned". In such case, the undertaker, administrator,
11 executor, authorized representative of a deceased person, corporation,
12 company or association, or other person having lawful possession of such
13 remains, may dispose of such remains using traditional disposal methods
14 such as burial, cremation, or natural organic reduction. A record of
15 such disposition shall be made and kept by the person making such dispo-
16 sition. Upon disposing of such remains in the manner prescribed above,
17 such person shall be discharged from any legal obligation or liability
18 to the authorizing agent or any other person enumerated under paragraph
19 (a) of subdivision two of this section in relation to such remains.

20 § 2. 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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