STATE OF NEW YORK

4128

2025-2026 Regular Sessions

IN ASSEMBLY

January 31, 2025

Introduced by M. of A. SAYEGH -- read once and referred to the Committee on Insurance

AN ACT to amend the public health law, in relation to permitting funeral directors to sell insurance

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

Section 1. The public health law is amended by adding a new section 3445 to read as follows:

§ 3445. Funeral directing; sale of insurance. A funeral establishment may provide for the sale of insurance by a person licensed under article eleven of the insurance law. Such licensed person may be a funeral director.

§ 2. Paragraph (l) of subdivision 1 of section 3450 of the public health law, as amended by chapter 642 of the laws of 2019, is amended to read as follows:

(l) has paid, given, has caused to be paid or given or offered to pay or to give to any person a commission or other valuable consideration for the solicitation or procurement, either directly or indirectly, of funeral patronage, or has accepted any consideration (including without limitation a commission, rebate, or discount or direct or indirect price reduction on merchandise from the current value thereof) from any financial institution or trust company, or agent thereof, with whom the funeral director deposits funds paid for funeral services in advance of need pursuant to subdivision one of section four hundred fifty-three of the general business law except that the funeral director may accept, from the financial institution, trust company or agent thereof, up to twenty-five hundredths of one percent of the fee authorized under paragraph (b) of subdivision three of section four hundred fifty-three of the general business law for administrative services provided by the funeral director, or has accepted any consideration (including without limitation a commission or gift) from any insurer or agent thereof, to

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

LBD06590-01-5

sell, offer or promote the sale of any policy of insurance payable, expressly or as marketed, at the death of the insured for funeral or burial expenses **except where the funeral director is licensed to sell insurance under article eleven of the insurance law and such compensation from the insurer or agent thereof is for the sale of insurance by the funeral director**;

§ 3. This act shall take effect immediately.