

STATE OF NEW YORK

7894--C

2025-2026 Regular Sessions

IN ASSEMBLY

April 11, 2025

Introduced by M. of A. PAULIN, STECK -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the public health law, in relation to permitting the use of cremation or natural organic reduction as the method of disposition for certain decedents

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

1 Section 1. Paragraph (c) of subdivision 2 of section 4201 of the
2 public health law, as amended by chapter 76 of the laws of 2006, is
3 amended and a new paragraph (c-1) is added to read as follows:

4 (c) The person in control of disposition, pursuant to this section,
5 shall faithfully carry out the directions of the decedent to the extent
6 lawful and practicable, including consideration of the financial capaci-
7 ty of the decedent's estate and other resources made available for
8 disposition of the remains. The person in control of disposition shall
9 also dispose of the decedent in a manner appropriate to the moral and
10 individual beliefs and wishes of the decedent provided that such beliefs
11 and wishes do not conflict with the directions of the decedent. The
12 person in control of disposition may seek to recover any costs related
13 to the disposition from the fiduciary of the decedent's estate in
14 accordance with section eighteen hundred eleven of the surrogate's court
15 procedure act. Notwithstanding the provisions of this paragraph, a chief
16 fiscal officer of a county or a public administrator, when having the
17 right to control the disposition of the remains of such decedent
18 pursuant to this section and acting reasonably and in good faith, may,
19 without civil liability, select cremation or natural organic reduction

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

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1 as the method of disposition for a decedent where the financial
2 resources of such decedent are limited and such disposition is selected
3 with the reasonable belief that the method is consistent with the reli-
4 gious practices of the decedent, provided, that (i) no person having
5 higher priority pursuant to this subdivision has claimed the remains of
6 the decedent within ninety days of their death, or (ii) such person
7 having priority is known and has relinquished their right to control the
8 decedent's final disposition.

9 (c-1) If cremation or natural organic reduction is selected as the
10 method of disposition by the chief fiscal officer of a county or a
11 public administrator, then such chief fiscal administrator of a county
12 or a public administrator shall issue a public notice of the selection
13 and allow forty-five days before proceeding. Such notice may run
14 concurrently with the ninety days stipulated by subparagraph (i) of
15 paragraph (c) of this subdivision.

16 § 2. This act shall take effect immediately.