S T A T E  O F  N E W  Y O R K

3994

2009-2010 Regular Sessions

I N  A S S E M B L Y

January 29, 2009

Introduced by M. of A. CYMBROWITZ -- Multi-Sponsored by -- M. of A. ROBINSON -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the public health law, in relation to the display of ownership information by funeral firms

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

Section 1. Section 3441 of the public health law is amended by adding a new subdivision 1-a to read as follows:

1-A. (A) EVERY FUNERAL ESTABLISHMENT SHALL DISPLAY ON A SIGN, LOCATED EITHER IMMEDIATELY OUTSIDE OR IMMEDIATELY INSIDE THE MAIN ENTRANCE, ALL OF THE FOLLOWING OWNERSHIP INFORMATION:

(I) THE NAME OF EVERY REGISTERED, LICENSED FUNERAL DIRECTOR WHO HOLDS AT LEAST A TEN PERCENT OWNERSHIP INTEREST IN THE BUSINESS ENTITY THAT OPERATES THE FUNERAL ESTABLISHMENT; AND

(II) THE NAMES OF ANY AND ALL BUSINESS ENTITIES WHICH DIRECTLY OR INDIRECTLY HOLD AN OWNERSHIP INTEREST OF TEN PERCENT OR MORE IN THE BUSINESS ENTITY THAT OPERATES THE FUNERAL ESTABLISHMENT.

(B) THE LETTERING ON SUCH SIGNS SHALL BE NOT LESS THAN ONE INCH IN HEIGHT.

(C) WHEN AN OWNERSHIP INTEREST OF TEN PERCENT OR MORE IN A FUNERAL ESTABLISHMENT IS HELD EITHER DIRECTLY OR INDIRECTLY BY ONE OR MORE BUSINESS ENTITIES, THE NAME, COMPLETE HEADQUARTERS ADDRESS, AND TELEPHONE NUMBER OF EACH SUCH BUSINESS ENTITY SHALL ALSO BE LISTED ON ALL BUSINESS LETTERHEAD STATIONERY, INVOICES, AND ADVERTISING MATERIALS USED BY SUCH FUNERAL ESTABLISHMENT.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided that the commissioner of health is authorized to promulgate any and all rules and regulations and take any other measures necessary to implement this act on its effective date on or before such date.

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

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