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

7171

2011-2012 Regular Sessions

I N A S S E M B L Y

April 14, 2011

Introduced by M. of A. DenDEKKER -- read once and referred to the Committee on Election Law

AN ACT to amend the public health law and the election law, in relation to requiring funeral directors and others to forward certificates of death to boards of election

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

Section 1. Section 4142 of the public health law, subdivision (b) as amended by chapter 402 of the laws of 1968, is amended to read as follows:

S 4142. Death certificate; duties of funeral director. In each case the funeral director, undertaker or person having charge of the body of a deceased person, shall:

(a) obtain the personal and statistical particulars required for the certificate of death from a competent person acquainted with the facts and qualified to supply them and enter them on the certificate together with the name and address of his informant;

(b) present the certificate promptly to the attending physician, who shall forthwith certify to the facts of death, provide the medical information required by the certificate and sign the medical certificate of death, or to the coroner or medical examiner in those cases where so required by this article or, when a death occurs in a hospital, except in those cases where certificates are issued by coroners or medical examiners, to the person in charge of such hospital or his designated representative who shall obtain the medical certificate of death as prescribed in section four thousand one hundred forty-one-a of this chapter;

(c) state the facts required on the certificate of death relative to the date and place of burial, cremation or removal, over his signature and with his address; [and,]

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

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(d) prior to the disposition of the remains, file the certificate of death with the registrar of the district in which the death occurred as provided in section four thousand one hundred forty of this article; AND,

(E) FORWARD A COPY OF THE CERTIFICATE OF DEATH TO THE COUNTY BOARD OF ELECTIONS IN WHICH THE FUNERAL DIRECTOR, UNDERTAKER OR PERSON HAVING CHARGE OF THE BODY OF A DECEASED PERSON IS LOCATED.

S 2. Section 3-212 of the election law is amended by adding a new subdivision 6 to read as follows:

6. EACH BOARD OF ELECTION SHALL, UPON RECEIVING A CERTIFICATE OF DEATH FROM A FUNERAL DIRECTOR, UNDERTAKER OR PERSON HAVING CHARGE OF THE BODY OF A DECEASED PERSON PURSUANT TO SECTION FORTY-ONE HUNDRED FORTY-TWO OF THE PUBLIC HEALTH LAW, REMOVE THE NAME OF SUCH DECEASED PERSON FROM THE ROLLS OF REGISTERED VOTERS.

S 3. This act shall take effect on the thirtieth day after it shall have become a law.