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

1593--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. ABINANTI, PAULIN, GALEF, WEPRIN, JAFFEE, HOOPER, KATZ -- Multi-Sponsored by -- M. of A. TITONE -- read once and referred to the Committee on Consumer Affairs and Protection -- recommitted to the Committee on Consumer Affairs and Protection in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to the right to contract for the burial of cremains in pet cemeteries and requiring notice related thereto

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

Section 1. The general business law is amended by adding a new section 750-vv to read as follows:

S 750-VV. BURIAL OF CREMAINS; NOTICE REQUIRED. PET CEMETERY OWNERS AND OPERATORS WHO ALLOW FOR THE BURIAL OF CREMAINS, AS DEFINED IN SUBDIVISION TWO OF SECTION FORTY-TWO HUNDRED TWO OF THE PUBLIC HEALTH LAW, OF PET OWNERS WITH THEIR PETS MAY CHARGE A REASONABLE FEE FOR SUCH BURIAL AND MUST PROVIDE NOTICE TO ANYONE WHO SEEKS TO BURY A PET OWNER'S CREMAINS WITH THE PET OWNER'S PET BEFORE ANY CONTRACT IS SIGNED OR CONSIDERATION IS PAID FOR SUCH BURIAL, WHICH NOTICE SHALL BE IN FOURTEEN POINT BOLD TYPE AND STATE THE FOLLOWING: "THIS IS A PET CEMETERY UNDER THE GENERAL BUSINESS LAW (ARTICLE 35-C). IT IS NOT A CEMETERY UNDER THE NOT-FOR-PROFIT CORPORATION LAW (ARTICLE 15). WHILE HUMAN CREMAINS MAY BE BURIED IN A PET CEMETERY, SUCH CREMAINS ARE NOT COVERED BY ANY OF THE PROTECTIONS PROVIDED TO HUMAN CREMAINS UNDER THE NOT-FOR-PROFIT CORPORATION LAW."

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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