

4322

2013-2014 Regular Sessions

I N S E N A T E

March 21, 2013

Introduced by Sen. RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the not-for-profit corporation law, in relation to regulation of interments in certain cemetery corporations

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

1 Section 1. Section 1502 of the not-for-profit corporation law is  
2 amended by adding a new paragraph (q) to read as follows:

3 (Q) THE TERM "PET CREMATED REMAINS" MEANS ASHES AND/OR OTHER RESIDUE  
4 RECOVERED AFTER THE COMPLETION OF CREMATION OF ANY DOMESTIC ANIMAL THAT  
5 HAS BEEN ADAPTED OR TAMED TO LIVE IN INTIMATE ASSOCIATION WITH PEOPLE  
6 WHERE SUCH CREMATION HAS OCCURRED AT A PET CREMATORIUM AS DEFINED IN  
7 SECTION SEVEN HUNDRED FIFTY-A OF THE GENERAL BUSINESS LAW.

8 S 2. Section 1510 of the not-for-profit corporation law is amended by  
9 adding a new paragraph (n) to read as follows:

10 (N) INTERMENT OF PET CREMATED REMAINS. THE INTERMENT OF PET CREMATED  
11 REMAINS IN A CEMETERY CORPORATION SHALL BE AVAILABLE TO A LOT OWNER ONLY  
12 IN THOSE CIRCUMSTANCES WHERE THE INTERMENT IS INCIDENTAL TO THE BURIAL  
13 OF HUMAN REMAINS AND WHERE AUTHORIZATION HAS BEEN PROVIDED IN A WRITTEN  
14 STATEMENT FROM THE CEMETERY CORPORATION. THE CEMETERY CORPORATION SHALL  
15 PROVIDE A LIST OF APPROVED CHARGES FOR THE INTERMENT OF SUCH REMAINS.  
16 ALL PAYMENTS RECEIVED FOR INTERMENT OF SUCH REMAINS SHALL BE DEPOSITED  
17 IN THE CEMETERY CORPORATION'S PERMANENT MAINTENANCE FUND. PET CREMATED  
18 REMAINS MUST BE DISPOSED OF BY PLACING THEM IN A GRAVE, CRYPT, OR NICHE.  
19 NOTHING IN THIS SECTION SHALL OBLIGATE A CEMETERY CORPORATION TO ALLOW  
20 INTERMENT OF SUCH CREMATED PET REMAINS WHERE PRIOR APPROVAL AT THE TIME  
21 OF SALE OR IN ADVANCE OF NEED HAS NOT BEEN RECEIVED. THE PROVISIONS OF  
22 THIS SECTION SHALL NOT APPLY TO AN INCORPORATED OR UNINCORPORATED CEME-  
23 TERY OPERATED, SUPERVISED OR CONTROLLED BY A RELIGIOUS CORPORATION OR A  
24 LOT, PLOT OR PART THEREOF WHOSE RECORD OWNER IS AN INCORPORATED OR UNIN-  
25 CORPORATED RELIGIOUS ASSOCIATION OR SOCIETY.

26 S 3. This act shall take effect immediately.

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

LBD09950-01-3