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

9169

I N A S S E M B L Y

February 1, 2016

Introduced by M. of A. DenDEKKER -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the general municipal law, in relation to burial of veterans of the armed forces of the United States

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

Section 1. Subdivision 1-a of section 148 of the general municipal law, as added by chapter 579 of the laws of 2015, is amended to read as follows:

1-a. (A) Notwithstanding any other provision of this section, in the case of [an indigent] A veteran, AS DEFINED IN SECTION FORTY-TWO HUNDRED THREE OF THE PUBLIC HEALTH LAW, who died in a county or the city of New York leaving no funds or insurance sufficient to pay funeral and burial expenses of such veteran and such veteran has no next of kin or person of record previously designated to control his or her final disposition pursuant to section four thousand two hundred one of the public health law, such county or the city of New York may request a [congressional] CONGRESSIONALLY chartered veterans' organization within the county or the city of New York where the decedent resided at the time of death, to engage the services of a funeral firm to conduct the funeral and burial services.

(B) Such organization shall incur the costs associated with such services, which shall include but not be limited to, the purchase of a suitable container for burial, the funeral director's prices for merchandise and services furnished, cost of a grave site and a military funeral service at the cemetery to which such body shall be interred.

(C) THE COUNTY OR THE CITY OF NEW YORK SHALL ENDEAVOR TO MAKE SUCH REQUESTS TO A DIVERSITY OF CONGRESSIONALLY CHARTERED VETERANS' ORGANIZATIONS WITHIN THEIR JURISDICTION, IN AN EFFORT TO SHARE THE COSTS DESCRIBED IN PARAGRAPH (B) OF THIS SUBDIVISION IN A FAIR AND EQUITABLE MANNER.

(D) The state shall reimburse such [congressional] CONGRESSIONALLY chartered [veteran] VETERANS' organization for such funeral and burial service expenses for [indigent] veterans, except those expenses previ-

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

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ously reimbursed pursuant to section one hundred forty-one of the social services law or any other law or those expenses reimbursable or payable by the federal government; provided however, that the total reimbursement pursuant to this subdivision shall not exceed two thousand dollars per burial.

(E) A CONGRESSIONALLY CHARTERED VETERANS' ORGANIZATION DETERMINING IN GOOD FAITH THAT IT CANNOT FINANCIALLY BEAR THE COSTS OF THE REQUESTED FUNERAL AND BURIAL SERVICES AS DESCRIBED IN PARAGRAPH (B) OF THIS SUBDIVISION, AND DECLARING IN GOOD FAITH TO THE REQUESTING COUNTY OR THE CITY OF NEW YORK THAT THE ORGANIZATION IS UNABLE TO PAY FOR THESE EXPENSES, SHALL NOT BE REQUIRED BY THE COUNTY OR THE CITY OF NEW YORK TO INITIALLY FUND THESE REQUESTED SERVICES.

S 2. This act shall take effect on the same date and same manner as section two of chapter 579 of the laws of 2015, takes effect.