

STATE OF NEW YORK

3429--A

2019-2020 Regular Sessions

IN ASSEMBLY

January 29, 2019

Introduced by M. of A. DILAN -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the not-for-profit corporation law, in relation to creating a cemetery disclosure form

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 1510 of the not-for-profit corporation law is
2 amended by adding a new paragraph (o) to read as follows:

3 (o) Posting and distribution of the New York state cemetery disclosure
4 form. (1) A New York state cemetery disclosure form shall be created and
5 produced by the state cemetery board and shall be conspicuously posted
6 by any cemetery corporation as such term is defined in section fifteen
7 hundred two of this article in each of its offices if any. A copy of
8 such form shall be provided by the cemetery corporation to any person
9 arranging for an interment or purchasing interment rights or any other
10 goods or services offered by the cemetery. Additionally, the New York
11 state cemetery disclosure form shall be posted on the web site of the
12 department of state's division of cemeteries.

13 (2) The New York state cemetery disclosure form shall be in the form
14 and manner as prescribed by the state cemetery board, include the
15 contact information of the New York department of state division of
16 cemeteries, and include, but not be limited to, the following:

17 (A) a description of and information about the regulation of ceme-
18 teries in New York, the New York department of state division of ceme-
19 teries and the state cemetery board, and a description of those types of
20 cemeteries that are not regulated by the state cemetery board;

21 (B) a description of the process of purchasing and re-selling a burial
22 lot, plot or part thereof;

23 (C) a description of the right to interment;

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

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1 (D) a description of inheritance rights of a burial lot, plot or part
2 thereof;

3 (E) a listing of reasons that interment may be denied;

4 (F) options regarding how remains may be disposed;

5 (G) a description of the requirements in regards to the use of outer
6 enclosures;

7 (H) a description of cemetery fees and services; and

8 (I) any other information deemed necessary.

9 (3) The state cemetery board may, from time to time, update and amend
10 the New York state cemetery disclosure form as it deems necessary.

11 § 2. This act shall take effect on the one hundred eightieth day after
12 it shall have become a law. Effective immediately, the addition, amend-
13 ment and/or repeal of any rule or regulation necessary for the implemen-
14 tation of this act on its effective date are authorized to be made and
15 completed on or before such date.