STATE OF NEW YORK

4284--A

2019-2020 Regular Sessions

IN SENATE

March 6, 2019

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed 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:

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

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

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

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

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

(C) a description of the right to interment;

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

LBD04794-02-9

(D) a description of inheritance rights of a burial lot, plot or part thereof;
(E) a listing of reasons that interment may be denied;
(F) options regarding how remains may be disposed;
(G) a description of the requirements in regards to the use of outer enclosures;
(H) a description of cemetery fees and services; and
(I) any other information deemed necessary.
(3) The state cemetery board may, from time to time, update and amend the New York state cemetery disclosure form as it deems necessary.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.