STATE OF NEW YORK

7301

2021-2022 Regular Sessions

IN ASSEMBLY

May 5, 2021

Introduced by M. of A. OTIS -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the state technology law, the public health law and the not-for-profit corporation law, in relation to authorizing the use of electronic signatures on funeral and cemetery services documents

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

Section 1. Subdivision 1 of section 307 of the state technology law, as amended by chapter 158 of the laws of 2012, is amended to read as follows:

1. To any document providing for the disposition of an individual's person or property upon death or incompetence, or appointing a fiduciary of an individual's person or property, including, without limitation, wills, trusts, decisions consenting to orders not to resuscitate, powers of attorney and health care proxies, with the exception of: (a) contractual beneficiary designations; [~~and~~] (b) the registration of making, amending, or revoking an anatomical gift under section forty-three hundred ten of the public health law**; and (c) documents and forms authorizing or accepting funeral, cemetery and cremation services**.

§ 2. Section 4145 of the public health law is amended by adding a new subdivision 6 to read as follows:

6. For the purposes of this section, such documents required to be produced under this section may be signed by written instrument or the use of an electronic signature, as that term is defined in subdivision three of section three hundred two of the state technology law, with the intent to execute the instrument, writing or electronic record.

§ 3. The not-for-profit corporation law is amended by adding a new section 1510-c to read as follows:

§ 1510-c. Form of authorizations.

Any form, authorization, permit or designation required by this article may be signed by written instrument or the use of an electronic

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

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signature, as that term is defined in subdivision three of section three hundred two of the state technology law, with the intent to execute the instrument, writing or electronic record.

§ 4. This act shall take effect immediately.