

# STATE OF NEW YORK

9048

## IN SENATE

May 5, 2022

Introduced by Sen. COMRIE -- 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 cemetery operations during emergency declarations

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

1 Section 1. The not-for-profit corporation law is amended by adding a  
2 new section 1518 to read as follows:

3 § 1518. Crematory operations during emergency declaration.

4 Notwithstanding any other provision of law, for the duration of a  
5 state or county disaster emergency declared pursuant to an executive  
6 order, crematories located in any county of the state may provide emer-  
7 gency transportation and disposition assistance in such instances where  
8 the crematories in affected areas are inoperable or unable to provide  
9 sufficient capacity for the disposition of human remains during any  
10 period of the declared emergency. Such crematories electing to provide  
11 emergency assistance shall contract for or otherwise utilize any mode of  
12 transportation necessary to transport human remains from areas of a  
13 declared emergency to other crematory operations within the state with  
14 cremation capacity. Transportation and disposition of human remains from  
15 such affected areas shall be conducted by any agent of the regulated  
16 crematory and shall only be permitted with a cremation permit required  
17 pursuant by section four thousand one hundred forty-five of the public  
18 health law attesting to the permission for the cremation of the deceased  
19 and their identity. In all instances of emergency crematory operations,  
20 a fully executed cremation authorization form shall accompany the human  
21 remains and provide the information necessary to return the cremated  
22 remains to the individual authorizing such cremation. Nothing in this  
23 section shall require a crematory to provide such transportation or  
24 additional crematory resources if they are unable to do so.

25 § 2. This act shall take effect immediately.

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

LBD15493-01-2