

STATE OF NEW YORK

6171

2021-2022 Regular Sessions

IN SENATE

April 13, 2021

Introduced by Sen. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend chapter 560 of the laws of 1998, amending the not-for-profit corporation law and other laws, relating to combinations of cemetery corporations and funeral entities, and the sale of monuments and memorials, in relation to funeral entities and the operation of any crematory or crematorium

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

1 Section 1. Section 14 of chapter 560 of the laws of 1998, amending the
2 not-for-profit corporation law and other laws, relating to combinations
3 of cemetery corporations and funeral entities, and the sale of monuments
4 and memorials, is amended to read as follows:

5 § 14. 1. The provisions of this act shall not apply to the operation
6 of any crematory or crematorium, or act of cremation performed by a
7 funeral entity after the effective date of this act, if the funeral
8 entity:

9 a. operated such crematory or crematorium, or performed cremations
10 prior to January 1, 1998; or

11 b. filed an application with the cemetery board for the operation of a
12 crematory or crematorium prior to January 1, 1998.

13 2. For purposes of this section and provided that the funeral entity
14 complies with all other applicable laws and regulations and the funeral
15 entity and the crematory or crematorium affirmatively consent, a crema-
16 tory or crematorium operated by a funeral entity may relocate facili-
17 ties, in combination with a funeral entity or separately and any move-
18 ment of facilities shall not diminish or otherwise affect the ability of
19 the crematory or crematorium to be operated by a funeral entity, to
20 another location within the local authority which approved the creation
21 of the crematory or crematorium, provided that the local authority

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

LBD10239-01-1

1 approves such relocation and the relocation does not otherwise conflict
2 with the limitations set forth in article fifteen of the not-for-profit
3 corporation law.

4 § 2. This act shall take effect immediately.