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:

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

§ 1518. Crematory operations during emergency declaration.

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

§ 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