STATE OF NEW YORK

5983

2023-2024 Regular Sessions

IN SENATE

March 24, 2023

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to requiring each certificate of death to also be filed with each board of elections within the state

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

Section 1. Section 4140 of the public health law, subdivision 1 as amended by chapter 352 of the laws of 2013 and subdivision 3 as amended by chapter 476 of the laws of 2002, is amended to read as follows:

§ 4140. Deaths; registration. 1. The death of each person who has died in this state shall be registered immediately and not later than seventy-two hours after death or the finding of a dead human body, by filing with the registrar of the district in which the death occurred or the body was found a certificate of such death, in a manner and format as prescribed by the commissioner, which shall include through electronic means in accordance with section forty-one hundred forty-eight of this title.

2. **When a registrar files a certificate of death under subdivision one of this section, such registrar shall also file a certificate of death with each board of elections within the state in a manner prescribed by such board of elections.**

3. If the certificate of death is properly executed and complete, the registrar of the district in which the death occurred shall then issue a burial or removal permit to the funeral director or undertaker. In case the death occurred from a disease which is designated in the sanitary code as a communicable disease, no permit for the removal or other disposition of the body shall be issued by the registrar, except to a funeral director or undertaker licensed in accordance with the provisions of this chapter, under such conditions as may be prescribed in the sanitary code.

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

LBD06711-01-3

[~~3.~~] **4.** The commissioner and the department of health of the city of New York shall deliver to the state board of elections, at least monthly, records in a format as mutually determined by both agencies, of the names of all persons of voting age for whom death certificates were issued. Such records shall be arranged by county of residence and shall include the name, residence address and birth date of each such person.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.