STATE OF NEW YORK

8057

IN SENATE

January 5, 2024

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

AN ACT to amend the public health law, in relation to the controlling disposition of a decedent's remains

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

Section 1. Paragraph (a) of subdivision 1 of section 4174 of the public health law, as amended by a chapter of the laws of 2023 amending the public health law relating to death certificates, as proposed in legislative bills numbers S. 6815 and A. 6180-A, is amended to read as follows:

(a) upon request, issue to any applicant either a certified copy or a certified transcript of the record of any death registered under the provisions of this chapter (1) when a documented medical need has been demonstrated, (2) when a documented need to establish a legal right or claim has been demonstrated, (3) when needed for medical or scientific research approved by the commissioner, (4) when needed for statistical or epidemiological purposes approved by the commissioner, (5) upon specific request by municipal, state or federal agencies for statistical or official purposes, (6) upon specific request of the agent **charged with controlling disposition of a decedent's remains**, as designated pursuant to subdivision three of section four thousand two hundred one of this chapter, spouse, domestic [~~partner~~] **partners as defined in paragraph (c) of subdivision one of section four thousand two hundred one of this chapter**, children, siblings **or**, parents[~~, grandparents, aunts, uncles, cousins, nieces or nephews~~] of the deceased or the lawful representative of such persons, or (7) pursuant to the order of a court of competent jurisdiction on a showing of necessity; except no certified copy or certified transcript of a death record shall be subject to disclosure under article six of the public officers law;

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2023 amending the public health law relating to death certificates, as proposed in legislative bills numbers S. 6815 and A. 6180-A, takes effect.

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

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