STATE OF NEW YORK

6601

2023-2024 Regular Sessions

IN SENATE

April 28, 2023

Introduced by Sen. HELMING -- 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 certain crematory or crematorium operated by a funeral entity

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

Section 1. Section 14 of 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, is amended by adding a new subdivision 3 to read as follows:

3. For the purposes of this section and provided that the funeral entity complies with paragraph (b) of section fifteen hundred three of the not-for-profit corporation law, where applicable, and all other applicable laws and regulations, a crematory or crematorium operated by a funeral entity may add an additional retort expressly and solely for use in an instance of mechanical or technical failure of an existing retort. Any such addition of a retort expressly and solely for use in an instance of mechanical or technical failure of an existing retort shall not diminish or otherwise affect the ability of a crematory or crematorium to be operated by a funeral entity as provided in this section. Nothing in this act shall entitle a crematory or crematorium operated by a funeral entity to expand its operations or otherwise permit noncompliance with the provisions of this act.

§ 2. This act shall take effect immediately.

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

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