# STATE OF NEW YORK

8751

# IN SENATE

March 7, 2024

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

AN ACT to amend the penal law, in relation to mutilation of a human corpse

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

Section 1. Section 195.02 of the penal law, as added by chapter 242 of the laws of 2015, is amended to read as follows:

§ 195.02 Concealment **or mutilation** of a human corpse.

A person is guilty of concealment **or mutilation** of a human corpse when[~~, having a reasonable expectation that a human corpse or a part thereof will be produced for or used as physical evidence in: (a) an official proceeding; (b) an autopsy as part of a criminal investigation; or (c) an examination by law enforcement personnel as part of a criminal investigation;~~] such person, alone or in concert with another, conceals, alters**, mutilates** or destroys such corpse or part thereof [~~with the intent to prevent its production, use or discovery~~]. **The provisions of this section shall not apply to an individual or entity authorized to accept an anatomical gift pursuant to section forty-three hundred two of the public health law or to the lawful activities of a funeral director, undertaker or embalmer under article thirty-four of the public health law.**

Concealment **or mutilation** of a human corpse is a class E felony.

§ 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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