

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:

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

3 § 195.02 Concealment or mutilation of a human corpse.

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

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

18 § 2. This act shall take effect immediately.

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

LBD14809-01-4