

# STATE OF NEW YORK

4369

2025-2026 Regular Sessions

## IN SENATE

February 4, 2025

Introduced by Sens. COMRIE, HARCKHAM, KRUEGER, MATTERA, MYRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the not-for-profit corporation law, in relation to authorizing memorial lands facilities

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

1 Section 1. The not-for-profit corporation law is amended by adding a  
2 new section 1506-f to read as follows:

3 § 1506-f. Memorial lands facility.

4 (a) Any person who operates an entity on land, that is primarily used  
5 only for the respectful disposition of cremated and naturally organ-  
6 ically reduced remains shall hold a valid memorial lands facility permit  
7 issued and approved by the cemetery board.

8 (b) To receive a memorial lands facility permit the operator of a  
9 memorial lands facility shall be a not-for-profit corporation subject to  
10 the regulatory oversight of the cemetery board, incorporated in the  
11 state, that shall file with the department and adhere to an operation  
12 plan for the maintenance of the land and the disposition of cremated and  
13 naturally organically reduced remains. The operation plan shall include  
14 the following:

15 (1) Evidence of a perpetual conservation easement, as defined under  
16 section 49-0303 the environmental conservation law, held by a not-for-  
17 profit conservation organization or public body or evidence that such  
18 lands are cemetery lands;

19 (2) A commitment that no crematory or columbarium shall be constructed  
20 on the memorial lands facility;

21 (3) Any plans for a proposed or existing natural organic reduction  
22 facility;

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

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1 (4) A copy of the form contract between the memorial lands facility  
2 and the consumer that permits the disposition of cremated and naturally  
3 organically reduced remains; and

4 (5) The rules and regulations for the memorial lands facility which  
5 governs and shall include but not be limited to, access to the land.

6 (c) An entity holding a memorial lands facility permit shall be  
7 subject to any regulations pertaining to disposal of cremated or  
8 naturally organically reduced remains or disposal thereof in this arti-  
9 cle.

10 (d) As a condition of approval for such permit, the operator shall  
11 provide certification to the cemetery board that such activities conform  
12 with existing local zoning laws and ordinances.

13 (e) The cemetery board is authorized to promulgate any rules and regu-  
14 lations as may be necessary to implement and administer the provisions  
15 of this section.

16 § 2. This act shall take effect immediately.