

STATE OF NEW YORK

8759

IN SENATE

January 8, 2026

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

AN ACT to amend the elder law, in relation to publishing a guide to actions when someone close dies

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

1 Section 1. Section 226 of the elder law, as added by a chapter of the
2 laws of 2025, amending the elder law relating to publishing a guide to
3 actions when someone close dies, as proposed in legislative bills
4 numbers S. 4351-A and A. 3939-A, is amended to read as follows:

5 § 226. Guide to actions when someone close dies. 1. The office shall
6 publish a "Guide to Actions When Someone Close Dies". [~~This~~] Within one
7 year of the effective date of this section, this guide shall be made
8 publicly available on the official website of the office and the office
9 may also produce a paper format [~~within one year of the effective date~~
10 ~~of this section~~].

11 2. The guide shall provide information in at least the following
12 domains:

13 (a) Economic security, including but not limited to, pensions, social
14 security, life insurance, health insurance, and death benefits [~~as well~~
15 ~~as tax implications of a death~~]. This information shall also refer to
16 the resources provided by the department of taxation and finance regard-
17 ing estate taxes.

18 (b) Legal, including how to access death certificates, wills, trust
19 documents and other legal information needed to plan for the future.

20 (c) Mental health assistance, including information on the grieving
21 process, triggers and symptoms associated with grief, effective coping
22 strategies, the impact on family dynamics in relation to the loss of
23 someone close, and other mental health concerns correlated with grief.

24 (d) Disposition of remains including funeral and service arrangements
25 and burials. This information shall [~~include average costs by region~~
26 ~~and~~] refer to the resources provided by the department of health's
27 bureau of funeral directing.

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

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1 (e) Other information as determined by the office [~~in consultation~~
2 ~~with the special advisory committee established pursuant to this~~
3 ~~section~~].

4 3. The [~~director shall establish a special advisory committee to help~~
5 ~~fulfill the requirements of this section. The committee shall be tempo-~~
6 ~~rary and dissolve thirty days after the guide is posted and distributed.~~
7 ~~The members of the special advisory committee shall receive no compen-~~
8 ~~sation for their services but shall be reimbursed for actual and neces-~~
9 ~~sary expenses incurred in the performance of their duties, to the extent~~
10 ~~funds are appropriated for such purpose. The committee shall contain~~
11 office may choose to seek consultation with and advice from represen-
12 tatives from the following professions as well as any state agency
13 representatives [~~that are needed at the discretion of the director~~].
14 which may include:

15 (a) Funeral directors;

16 (b) Cemeteries;

17 (c) Mental health professionals with specific knowledge of grief coun-
18 seling;

19 (d) Attorneys specialized in estate planning, including the New York
20 state bar association; [~~and~~]

21 (e) Tax professionals; and

22 (f) Clergy.

23 § 2. This act shall take effect on the same date and in the same
24 manner as a chapter of the laws of 2025 amending the elder law relating
25 to publishing a guide to actions when someone close dies, as proposed in
26 legislative bills numbers S. 4351-A and A. 3939-A, takes effect.