

STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
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KATHY HOCHUL
GOVERNOR

ROBERT J. RODRIGUEZ
SECRETARY OF STATE

MEMORANDUM

TO: New York State Cemetery Board
FROM: Robert Vanderbles, Esq.
RE: Legislation Report
DATE: April 7, 2022

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| A09326 | Assemblymember Sillitti | S08274 | Senator Kaplan |
| Title: An act in relation to authorizing the county of Nassau assessor to accept an application for a real property tax exemption from the Nassau Cemetery Association | | | |
| Description: To allow the Nassau County Assessor to accept an application from the Nassau Cemetery Association for a real property tax exemption. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |
| 2/23/22 | referred to real property taxation | | |
| Senate Actions | | | |
| Date: | Action: | | |
| 2/8/22 | referred to local government | | |

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| A00257 | Assemblymember Paulin | S N/A | Senator N/A |
| Title: An act to amend the not-for-profit corporation law, in relation to the regulation of cemetery corporations | | | |
| | | | |
| Description: Clarifies that state regulated cemetery operations are under the sole jurisdiction of the state cemetery board. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |
| 1/6/2021 | referred to corporations, authorities and commissions | | |
| 1/5/2022 | referred to corporations, authorities and commissions | | |
| Senate Actions | | | |
| Date: | Action: | | |
| NA | NA | | |

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| A00265 | Assemblymember Paulin | S N/A | Senator N/A |
| Title: An act to amend the not-for-profit corporation law, in relation to the definition of cremation | | | |
| Description: This bill would amend the definition of cremation to account for any technological advances in the process of cremation that the cemetery board may authorize and deem to be in the public interest. | | | |



**Department
of State**

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| Assembly Actions | |
| Date: | Action: |
| 1/6/2021 | referred to corporations, authorities and commissions |
| 1/5/2022 | referred to corporations, authorities and commissions |
| Senate Actions | |
| Date: | Action: |
| N/A | N/A |

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| A00367 | Assemblymember Paulin | S02589 | Senator Helming |
| Title: An act to amend the not-for-profit corporation law and the state finance law, in relation to the administration of the state cemetery vandalism restoration fund by the state cemetery board | | | |
| Description: This bill would amend the not-for-profit corporation law to update authority for payments from the state cemetery vandalism restoration, monument repair or removal and administration fund to rest with the state cemetery board. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |
| 1/6/2021 | referred to corporations, authorities and commissions | | |
| 1/5/2022 | referred to corporations, authorities and commissions | | |
| Senate Actions | | | |
| Date: | Action: | | |
| 1/22/2021 | referred to corporations, authorities and commissions | | |
| 1/5/2022 | referred to corporations, authorities and commissions | | |

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| A00368 | Assemblymember Paulin | S03264 | Senator Comrie |
| Title: An act to amend the not-for-profit corporation law, in relation to cemetery trust funds | | | |
| Description: Relates to cemetery trust funds and the maintenance and preservation of cemetery grounds. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |
| 1/6/2021 | referred to corporations, authorities and commissions | | |
| 1/5/2022 | referred to corporations, authorities and commissions | | |
| Senate Actions | | | |
| Date: | Action: | | |
| 1/28/2021 | referred to corporations, authorities and commissions | | |
| 4/20/2021 | 1 st report cal. 697 | | |
| 4/21/2021 | 2 nd report cal. | | |
| 4/26/2021 | Advanced to third reading | | |
| 4/28/2021 | Passed Senate | | |
| 4/28/2021 | Delivered to Assembly | | |
| 4/28/21 | referred to corporations, authorities and commissions | | |
| 1/5/2022 | Died in Assembly | | |
| 1/5/2022 | Returned to Senate | | |
| 1/5/2022 | referred to corporations, authorities and commissions | | |

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| A00382 | Assemblymember Paulin | S05535 | Senator Comrie |
| Title: An act to amend the not-for-profit corporation law, in relation to the creation, operation, and duties of natural organic reduction facilities as cemetery corporations. | | | |

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| Description: Provides for the creation, operation, and duties of natural organic reduction facilities as cemetery corporations for the contained, accelerated conversion of human remains to soil. | |
| Assembly Actions | |
| Date: | Action: |
| 1/6/2021 | referred to corporations, authorities and commissions |
| 1/12/2021 | Report referred to codes |
| 2/9/2021 | reported |
| 2/11/2021 | Advanced to third reading cal.92 |
| 1/5/2022 | Ordered to third reading cal.29 |
| Senate Actions | |
| Date: | Action: |
| 3/10/2021 | referred to corporations, authorities and commissions |
| 5/18/2021 | 1 st report cal.1072 |
| 5/20/2021 | 2 nd report cal. |
| 5/24/2021 | Advanced to third reading |
| 6/10/2021 | Committed to rules |
| 1/5/2022 | referred to corporations, authorities and commissions |

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| A01422 | Assemblymember Dinowitz | S02749 | Senator Comrie |
| Title: An act to amend the tax law, in relation to providing an exemption for tangible personal property and services sold by a cemetery | | | |
| Description: Provides an exemption for tangible personal property and services sold by a cemetery; establishes an amnesty program for cemetery corporations. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |
| 1/11/2021 | referred to ways and means | | |
| 1/5/2022 | referred to ways and means | | |
| Senate Actions | | | |
| Date: | Action: | | |
| 1/25/2021 | Referred to budget and revenue | | |
| 1/5/2022 | Referred to budget and revenue | | |

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| A03246 | Assemblymember Lupardo | S N/A | Senator N/A |
| Title: 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 funeral entities and the operation of any crematory or crematorium. | | | |
| Description: Relates to funeral entities and the operation of any crematory or crematorium. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |
| 1/22/2021 | referred to consumer affairs and protection | | |
| 1/26/2021 | reference changed to corporations, authorities and commissions | | |
| 1/5/2022 | referred to corporations, authorities and commissions | | |
| Senate Actions | | | |
| Date: | Action: | | |
| N/A | N/A | | |

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| A04160 | Assemblymember Colton | S01647 | Senator Skoufis |
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| Title: An act to amend the general business law, in relation to the unauthorized sale of veterans' commemorative property that has been placed in a cemetery and the unauthorized sale of cemetery markers and flagholders. | |
| Description: Prohibits the unauthorized sale, purchase, sale or transfer of any cemetery marker, flag holder, monument, statue or other physical memorabilia that is over 75 years old that commemorates the life or death of a veteran or group of veterans, including but not limited to a military unit, company, battalion or division, if such cemetery marker, flag holder, monument, statue or other physical memorabilia that commemorates the life or death of a veteran or group of veterans has been placed in any cemetery; makes violations a class B misdemeanor; permits cemeteries to make such sales upon application to the state cemetery board and upon certain conditions. | |
| Assembly Actions | |
| Date: | Action: |
| 2/1/2021 | referred to veterans' affairs |
| 1/5/2022 | referred to veterans' affairs |
| Senate Actions | |
| Date: | Action: |
| N/A | N/A |

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| A04531 | Assemblymember Peoples-Stokes | S N/A | Senator N/A |
| Title: An act to amend the public health law, in relation to the disposition of cremated remains | | | |
| Description: Permits a funeral director with written consent of a regulated cemetery corporation to provide remains which remain unclaimed after one hundred twenty days to such corporation for disposition. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |
| 2/4/2021 | Referred to health | | |
| 1/5/2022 | Referred to health | | |
| Senate Actions | | | |
| Date: | Action: | | |
| N/A | N/A | | |

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| A4730 | Assemblymember Smith | S N/A | Senator N/A |
| Title: An act to amend the election law and the public health law, in relation to requiring funeral directors to deliver death certificates | | | |
| Description: Requires funeral directors to ensure that death certificates are delivered to the state health department and the department of health of the city of New York who shall in turn deliver certain certificates to the state board of elections. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |
| 2/5/2021 | Referred to election law | | |
| 1/5/2022 | Referred to election law | | |
| Senate Actions | | | |
| Date: | Action: | | |
| N/A | N/A | | |

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| A04934 | Assemblymember Peoples-Stokes | S N/A | Senator N/A |
| Title: An act to amend the general business law, in relation to prohibiting the purchase of certain items as scrap | | | |

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| Description: Prohibits the sale or purchase of certain items as scrap: street signs, funeral markers, and any metal items bearing markings of any government entity, utility, cemetery or railroad; preempts local laws. | |
| Assembly Actions | |
| Date: | Action: |
| 2/9/2021 | Referred to economic development |
| 1/5/2022 | Referred to economic development |
| Senate Actions | |
| Date: | Action: |
| N/A | N/A |

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| A05098 | Assemblymember Abinanti | S05704 | Senator Comrie |
| Title: An act to amend the general business law, in relation to the right to contract for the burial of cremains in pet cemeteries and requiring notice related thereto | | | |
| Description: Relates to the rights to contract for the burial of cremains in pet cemeteries; requires notice relating thereto. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |
| 2/11/2021 | referred to corporations, authorities and commissions | | |
| 1/5/2022 | referred to corporations, authorities and commissions | | |
| Senate Actions | | | |
| Date: | Action: | | |
| 3/16/2021 | Referred to consumer protection | | |
| 1/5/2022 | Referred to consumer protection | | |

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| A06302 | Assemblymember Stirpe | S04344 | Senator Brouk |
| Title: An act to amend the executive law and the public health law, in relation to authorizing a veteran's close friend or family member who is reasonably familiar with such veteran's wishes to request that such veteran be buried in a veterans' cemetery | | | |
| Description: Authorizes a veteran's close friend or family who is reasonably familiar with such veteran's wishes to request that such veteran be buried in a state veterans' cemetery. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |
| 3/12/2021 | Referred to veterans' affairs | | |
| 1/5/2022 | Referred to veterans' affairs | | |
| Senate Actions | | | |
| Date: | Action: | | |
| 2/3/2021 | Referred to veterans, homeland security and military affairs | | |
| 4/19/2021 | 1 st report cal. 685 | | |
| 4/20/2021 | 2 nd report cal. | | |
| 4/21/2021 | Advanced to third reading | | |
| 5/26/2021 | Passed Senate | | |
| 5/26/2021 | Delivered to Assembly | | |
| 5/26/2021 | Referred to veterans' affairs | | |
| 1/5/2022 | Died in Assembly | | |
| 1/5/2022 | Returned to Senate | | |
| 1/5/2022 | Referred to veterans, homeland security and military affairs | | |

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| A06649 | Assemblymember Frontus | S05972 | Senator Parker |
| Title: An act to amend the public health law, in relation to enacting the "uniform emergency volunteer health practitioners act" | | | |
| Description: Enacts the "uniform emergency volunteer health practitioners act" for declared state disaster emergencies; establishes a system to deploy health service workers from out of state during a state disaster emergency. Health services include funeral, cremation, cemetery, or other mortuary services. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |
| 3/23/2021 | Referred to health | | |
| 1/5/2022 | Referred to health | | |
| Senate Actions | | | |
| Date: | Action: | | |
| 3/24/2021 | Referred to health | | |
| 1/5/2022 | Referred to health | | |

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| A06724 | Assemblymember Englebright | S05701 | Senator Comrie |
| Title: An act to amend the not-for-profit corporation law and the education law, in relation to the discovery and disposition of human remains and funerary objects; and to amend the parks, recreation and historic preservation law, in relation to requiring certain notice and consultation prior to the undertaking of certain projects | | | |
| Description: Enacts the "unmarked burial site protection act"; requires the cessation of all ground disturbing activities upon the discovery of a burial ground, human remains or funerary objects and requires procedures. | | | |
| Assembly Actions | | | |
| Date: | | Action: | |
| 3/29/2021 | | referred to corporations, authorities and commissions | |
| 1/5/2022 | | referred to corporations, authorities and commissions | |
| Senate Actions | | | |
| Date: | | Action: | |
| 3/16/2021 | | referred to corporations, authorities and commissions | |
| 5/18/2021 | | 1 st report cal.1073 | |
| 5/20/2021 | | 2 nd report cal. | |
| 5/24/2021 | | Advanced to third reading | |
| 6/10/2021 | | Committed to rules | |
| 1/5/2022 | | Referred to corporations, authorities and commissions | |

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| A06836 | Assemblymember Abbate | S06514 | Senator Savino |
| Title: An act to amend the religious corporations law, in relation to the sale of monuments | | | |
| Description: Relates to the sale of monuments; provides no religious corporation owning, managing or controlling a cemetery shall, directly or indirectly, engage in the sale of monuments, or authorize or permit any employee or trustee or director thereof to advertise or make known his or her relationship to such religious corporation or cemetery if such person is engaged in the sale of monuments outside of his or her employment by or affiliation with the religious corporation or the cemetery. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |

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| 4/12/2021 | referred to corporations, authorities and commissions |
| 1/5/2022 | referred to corporations, authorities and commissions |
| Senate Actions | |
| Date: | Action: |
| 5/4/2021 | referred to corporations, authorities and commissions |
| 1/5/2022 | referred to corporations, authorities and commissions |

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| A06861 | Assemblymember Jacobson | S06010 | Senator Sanders |
| Title: None. | | | |
| Description: Enacts "Lamont Dottin's Law"; relates to reporting duties with respect to missing children and adults; establishes uniform standards for searching for missing persons; expands state databanks to approach not only the problem of missing children but missing adults as well; requires police departments to establish a trained missing person specialist. It would require “pauper cemeteries” to maintain computerized data on all interred remains. | | | |
| Assembly Actions | | | |
| Date: | | Action: | |
| 4/13/2021 | | Referred to governmental operations | |
| 1/5/2022 | | Referred to governmental operations | |
| Senate Actions | | | |
| Date: | | Action: | |
| 3/26/2021 | | Referred to finance | |
| 1/5/2022 | | Referred to finance | |

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| A06995 | Assemblymember Cusick | S05610 | Senator Lanza |
| Title: An act to amend the general business law, the insurance law and the public health law, in relation to preneed insurance; and providing for the repeal of such provisions upon expiration thereof | | | |
| Description: Relates to preneed insurance premiums. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |
| 4/19/2021 | Referred to consumer affairs and protection | | |
| 1/5/2022 | Referred to consumer affairs and protection | | |
| Senate Actions | | | |
| Date: | Action: | | |
| 3/12/2021 | Referred to consumer protection | | |
| 1/5/2022 | Referred to consumer protection | | |

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| A07848 | Assemblymember Reyes | S06842 | Senator Comrie |
| Title: An act to amend the environmental conservation law, in relation to providing a permit for a memorial lands facility | | | |
| Description: Provides a permit for a memorial lands facility. The bill would exempt these facilities, which are for the disposition of cremated remains, from article fifteen of the not-for-profit corporation law. | | | |
| Assembly Actions | | | |
| Date: | | Action: | |
| 5/27/2021 | | Referred to corporations, authorities, and commissions | |
| 1/5/2022 | | Referred to corporations, authorities, and commissions | |
| Senate Actions | | | |
| Date: | | Action: | |

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| 5/19/2021 | Referred to environmental conservation |
| 1/5/2022 | Referred to environmental conservation |

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| A8541 | Assemblymember Hyndman | S N/A | Senator N/A |
| Title: An act to amend the vehicle and traffic law, in relation to permitting certain funeral service vehicles and other vehicles to use high occupancy vehicle lanes. | | | |
| Description: Permits certain funeral service vehicles and other vehicles to use high occupancy vehicle lanes. | | | |
| Assembly Actions | | | |
| Date: | Action: | | |
| 12/13/2021 | Referred to transportation | | |
| 1/5/2022 | Referred to transportation | | |
| Senate Actions | | | |
| Date: | Action: | | |
| N/A | N/A | | |