

STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
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MEMORANDUM

TO: New York State Cemetery Board
 FROM: Robert Vanderbles, Esq.
 RE: Legislative Report
 DATE: February 10, 2023

The following bills may be of interest to the Cemetery Board:

A2029	Assemblymember Thiele	S00630	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 NA			
Date:	Action:		
1/23/23	Referred to corporations, authorities and commissions		
Senate Actions			
Date:	Action:		
1/5/23	referred to corporations, authorities and commissions		

A00242	Assemblymember Eichenstein	S00090	Senator Tedisco
Title: An act to amend the public health law, in relation to the disposition of fetal remains			
Description: To allow the mother who has suffered a spontaneous miscarriage of her pregnancy to a) be notified of her right to access the fetal death report, and b) obtain a burial permit in order to facilitate a proper burial, cremation or other dignified disposition of fetal remains.			
Assembly Actions			
Date: 1/4/23	Action: referred to health		
Senate Actions			
Date: 1/4/23	Action: referred to health		

A1477	Assemblymember Buttenschon	S00490	Senator Comrie
Title: An act to amend the not-for-profit corporation law, in relation to authorizing the maintenance of abandoned cemeteries			
Description: Relates to the maintenance of abandoned cemeteries; authorizes a solvent not-for-profit cemetery corporation that merges with an abandoned cemetery in a city to apply for state funds for the maintenance of an abandoned cemetery.			
Assembly Actions			



Department of State

Date:	Action:
1/17/23	Referred to corporations, authorities and commissions
Senate Actions	
Date:	Action:
1/4/23	Referred to corporations, authorities and commissions
2/7/23	1 st report cal. 294
2/8/23	2 nd report cal.

A979	Assemblymember Paulin	S1333	Senator Comrie
Title: An act to amend the not-for-profit corporation law and the public health law, in relation to clarifying provisions related to the creation, operation, and duties of natural organic reduction facilities as cemetery corporations; and to amend a chapter of the laws of 2022 amending the not-for-profit corporation law, relating to the creation, operation, and duties of natural organic reduction facilities as cemetery corporations, as proposed in legislative bills numbers S. 5535 and A. 382, in relation to the effectiveness thereof.			
Description: Clarifies provisions related to the creation, operation, and duties of natural organic reduction facilities as cemetery corporations			
Assembly Actions			
Date:	Action:		
1/11/23	referred to corporations, authorities and commissions		
1/17/23	reported referred to rules		
1/17/23	reported		
1/17/23	rules report cal.10		
1/17/23	ordered to third reading rules cal.10		
1/23/23	Passed Assembly		
1/23/23	Delivered to Senate		
1/23/23	Referred to rules		
Senate Actions			
Date:	Action:		
1/11/23	Referred to rules		
1/17/23	Ordered to third reading cal.101		
A1823	Assemblymember Colton	S1128	Senator Skoufis
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 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:		
1/23/23	Referred to veterans' affairs		
Senate Actions			
Date:	Action:		
1/10/23	Referred to veterans, homeland security and military affairs		
2/8/23	Recommit, enacting clause stricken		

A NA	Assemblymember NA	S1616	Senator Addabbo
Title: An act to amend the not-for-profit corporation law, in relation to certain duties and responsibilities of cemetery corporations.			
Description: Relates to certain duties and responsibilities of cemetery corporations; provides for the filing of consumer complaints; requires insurance coverage for injuries caused by collapsed monuments and structures.			
Assembly Actions			
Date:		Action:	
NA		NA	
Senate Actions			
Date:		Action:	
1/13/23		Referred to corporations, authorities and commissions	

A1215	Assemblymember Rozic	S NA	Senator NA
Title: An act to amend the penal law, in relation to criminal mischief and larceny offenses committed at a place of religious worship and to cemetery desecration.			
Description: Enhances criminal penalties for criminal mischief and larceny offenses committed at a place of religious worship and for cemetery desecration.			
Assembly Actions			
Date:		Action:	
1/13/23		Referred to codes	
Senate Actions			
Date:		Action:	
NA		NA	

A NA	Assemblymember NA	S1486	Senator Ortt
Title: An act to amend the public health law, in relation to the priority of persons with responsibility to determine the disposition of human remains.			
Description: Relates to the priority of persons with responsibility to determine the disposition of human remains; provides that persons designated by a member of the military shall have first priority.			
Assembly Actions			
Date: NA		Action: NA	
Senate Actions			
Date:		Action:	
1/12/23		Referred to health	

A820	Assemblymember Dinowitz	S685	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.			
Assembly Actions			
Date:		Action:	
1/11/23		Referred to ways and means	
Senate Actions			
Date:		Action:	
1/6/23		Referred to budget and revenue	

A1664	Assemblymember Stirpe	S NA	Senator NA
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Title: An act to amend the veterans' services 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:
1/17/23	Referred to veterans' affairs
Senate Actions	
Date:	Action:
NA	NA

A217	Assemblymember Eichenstein	S2114	Senator Felder
Title: An act to amend the penal law, in relation to cemetery desecration; and to repeal certain provisions of such law relating thereto			
Description: Removes the \$250 amount of damage from cemetery desecration in the second degree; makes cemetery desecration in the second degree a class E felony to apply to any damage or theft regardless of value; adds crime of cemetery desecration in the first degree and makes such crime a class D felony.			
Assembly Actions			
Date:	Action:		
1/4/23	Referred to codes		
Senate Actions			
Date:	Action:		
1/18/23	Referred to codes		

A NA	Assemblymember NA	S2413	Senator Bailey
Title: An act to amend the general municipal law, in relation to providing for an annual adjustment for reimbursements for certain veterans funerals			
Description:			
Assembly Actions			
Date:	Action:		
NA	NA		
Senate Actions			
Date:	Action:		
1/20/23	Referred to veterans, homeland security and military affairs		

A2000	Assemblymember Lupardo	S NA	Senator NA
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:		
1/23/23	Referred to corporations, authorities and commissions		
Senate Actions			
Date:	Action:		
NA	NA		

A NA	Assemblymember NA	S2763	Senator Comrie
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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:
NA	NA
Senate Actions	
Date:	Action:
1/24/23	Referred to consumer protection

A NA	Assemblymember NA	S3009	Senator Ryan
Title: An act to amend the public health law, in relation to eliminating the electronic death registration system fee for funeral directors and undertakers; and to repeal provisions of such law relating thereto			
Description: Relates to eliminating the electronic death registration system fee for funeral directors and undertakers.			
Assembly Actions			
Date:	Action:		
NA	NA		
Senate Actions			
Date:	Action:		
1/26/23	Referred to health		

A2708	Assemblymember Hyndman	S	Senator
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:		
1/26/23	Referred to transportation		
Senate Actions			
Date:	Action:		
NA	NA		

A NA	Assemblymember NA	S3024	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.			
Assembly Actions			
Date:	Action:		
NA	NA		
Senate Actions			
Date:	Action:		
1/26/23	Referred to environmental conservation		

A2850	Assemblymember Peoples-Stokes	S NA	Senator NA
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:
1/27/23	Referred to health
Senate Actions	
Date:	Action:
NA	NA

A3008	Budget (TED)	S4008	Budget (TED)
Title: TED Part V			
Description: establishes natural organic reduction facilities; defines terms; provides authorized entities; grants the department of state to approve or deny proposed natural organic reduction facilities; outlines the duties and obligations of natural organic reduction facility operations; provides for the processing of human remains; provides that any employee of a natural organic reduction facility whose function is to conduct the daily operations of the natural organic reduction process shall be certified by an organization approved by the department of state; makes related provisions			
Assembly Actions			
Date:	Action:		
2/1/23	Referred to ways and means		
Senate Actions			
Date:	Action:		
2/1/23	Referred to finance		

A3116	Assemblymember Hunter	S454	Senator Gianaris
Title: An act to amend the general municipal law, in relation to directing counties and the city of New York to request a congressionally chartered veterans' organization to arrange for the funeral and burial of a deceased veteran who has no next of kin or other person to make such arrangements			
Description: Directs counties and the city of New York to contact a veterans' organization to provide for the disposition of the unclaimed remains of a deceased veteran when such veteran has no next of kin or other person designated to provide for the disposition of his or her remains; provides process.			
Assembly Actions			
Date:	Action:		
2/2/23	Referred to veterans' affairs		
Senate Actions			
Date:	Action:		
1/4/23	Referred to veterans, homeland security and military affairs		

A3686	Assemblymember Zebrowski	S NA	Senator NA
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:		
2/3/23	Referred to corporations, authorities and commissions		
Senate Actions			
Date: NA	Action: NA		

A387	Assemblymember Zebrowski	S NA	Senator NA
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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: Provides for the administration of the state cemetery vandalism restoration, monument repair or removal and administration fund by the state cemetery board; removes the state comptroller and commissioner of taxation and finance from administering the fund.	
Assembly Actions	
Date:	Action:
2/3/23	Referred to corporations, authorities and commissions
Senate Actions	
Date:	Action:
NA	NA

A3688	Assemblymember Zebrowski	S NA	Senator NA
Title: An act to amend the not-for-profit corporation law, in relation to the definition of cremation			
Description: Relates to the definition of the term "cremation"			
Assembly Actions			
Date:	Action:		
2/3/23	Referred to corporations, authorities and commissions		
Senate Actions			
Date:	Action:		
NA	NA		

A3689	Assemblymember Zebrowski	S NA	Senator NA
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:		
2/3/23	Referred to corporations, authorities and commissions		
Senate Actions			
Date:	Action:		