

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: March 9, 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	
3/8/23		1 st report cal.447	
3/9/23		2 nd report cal.	

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.			



Department of State

Assembly Actions	
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.
2/13/23	Advanced to third reading

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		
2/15/23	Substituted for S1333		
3/3/23	Delivered to Governor		
3/3/23	Signed chapter 34		
Senate Actions			
Date:	Action:		
1/11/23	Referred to rules		
1/17/23	Ordered to third reading cal.101		
2/15/23	Substituted by A979		
2/15/23	Passed Senate		
2/15/23	Returned to Assembly		
3/3/23	Delivered to Governor		
3/3/23	Signed chap. 34		

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 5530	Senator Brouk
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:		
3/7/23	Referred to veterans, homeland security and military affairs		

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 4613	Assemblymember Bailey	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:		
2/17/23	Referred to veterans' affairs		
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
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 4439	Assemblymember Steck	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:		
2/14/23	Referred to health		
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		
3/6/23	Amend (t) and recommit to ways and means		
3/6/23	Print number 3008a		
Senate Actions			
Date:	Action:		
2/1/23	Referred to finance		
3/6/23	Amend (t) and recommit to finance		
3/6/23	Print number 4008A		

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
2/27/23	1 st report cal.393
2/28/23	3rd report cal
3/1/23	Advance to third reading
3/8/23	Passed Senate
3/8/23	Delivered to Assembly

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		

A3687	Assemblymember Zebrowski	S 00295	Senator NA
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:
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A NA	Assemblymember NA	S4590	Senator Sanders
Title: An act to amend the executive law, in relation to reporting duties with respect to missing children and adults			
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.			
Assembly Actions			
Date: NA	Action: NA		
Senate Actions			
Date: 2/10/23	Action: referred to finance		

A NA	Assemblymember NA	S 4605	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. Pre need life insurance would include prearrangement agreements for goods and services including embalming, cremation, etc			
Assembly Actions			
Date: NA	Action: NA		
Senate Actions			
Date: 2/13/23	Action: referred to consumer protection		

A NA	Assemblymember NA	S4683	Senator Parker
Title: An act to amend the public health law, in relation to the commercial display of human remains			
Description: Relates to the commercial display of human remains; requires the department of health to implement a permit process for anyone displaying human remains for payment or other consideration; exempts remains more than 100 years old, consisting solely of human hair or teeth, part of the ordinary display at a funeral establishment or memorial, an object of religious veneration, consisting solely of bodies transported into and remaining in the state for display prior to the effective date of this section, in the possession of a museum facility or those remains represented by an entity that has displayed human remains in the state for at least three of the last ten years whether or not such display was in operation at the time of the effective date of this article.			
Assembly Actions			
Date:	Action:		
Senate Actions			
Date:2/13/23	Action: referred to health		

A4480	Assemblymember	S2797	Senator Breslin
Title: An act to amend the insurance law, in relation to authorizing non-insurance benefits or services to be offered as part of a group life or group or blanket accident and health insurance policy			
Description: Relates to authorizing non-insurance benefits or services to be offered as part of group life or group or blanket accident or health insurance policies.			
Assembly Actions			
Date:	Action:		

2/16/23	Referred to insurance
Senate Actions	
Date:	Action:
1/24/23	Referred to insurance

A4790	Assemblymember Hevesi	S	Senator
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.			
Assembly Actions			
Date:	Action:		
2/23/23	Referred to corporation, authorities and commissions		
Senate Actions			
Date:	Action:		