

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2019**

No. 214

Introduced by Council Members Rose, Kallos, Louis, Ampry-Samuel, Ayala, Holden and Cohen.

A LOCAL LAW

In relation to a public hearing on public burial and related issues

Be it enacted by the Council as follows:

Section 1. Public burial hearing. a. There shall be a public hearing, information about which shall be posted on the department's website at least 30 days in advance, to provide the public an opportunity to comment on and make recommendations regarding changes to the laws, rules, regulations, policies and procedures related to public burial.

b. The commissioner of social services, or their designee, shall convene and preside over the public hearing. The chief executive officer of the New York city health and hospitals corporation or such designee shall be invited to attend the public hearing with the representatives of city agencies identified herein. The following agency officers, or their designees, shall also attend the public hearing:

1. The commissioner of health and mental hygiene;
2. The commissioner of correction;
3. The chief medical examiner;
4. The commissioner of parks and recreation;

c. The department of social services shall invite, at least 30 days in advance of the hearing, through a written invitation, at least the following members of the public to provide public testimony:

1. At least two advocates who specialize in issues related to public burial or Hart island;
2. At least one member of the public who has opted for public burial of a deceased person; and
3. At least one member of the public who specializes in medical ethics or issues relating to medical privacy.

d. The commissioner of social services shall request that testimony include, but need not be limited to, the following:

1. The process for identifying, finding and contacting next of kin or legally responsible relative when a deceased individual is identified for public burial;
2. Support for and communication with next of kin or legally responsible relative who choose to direct the disposition of the decedent's remains to public burial or seek assistance from the department of social services' burial programs, including what information is provided regarding public burial, burial assistance program and Hart island;
3. Procedures for burial of indigent, unclaimed individuals and individuals wherein the next of kin or legally responsible relative directs disposition of the remains to public burial;
4. The department of social services' burial assistance program;
5. The feasibility of implementation of a cremation assistance program or providing cremation as an alternative to public burial;
6. The feasibility or potential feasibility of public burial in locations other than Hart island, both inside and outside of the city;

7. The plan for the future operation of Hart island;

8. Recommendations for promoting efficiency and accessibility to the public of existing and proposed programs in connection with public burial; and

9. Recommendations for changes to the system allowing the public to find burial information on Hart island, that takes into consideration the public interest in searching such information and in protecting personally identifying information and medical privacy.

e. The department of social services shall submit to the mayor and speaker of the council and post on its website a report summarizing and, where appropriate, responding to such testimony no later than January 15, 2020.

§ 2. This local law takes effect immediately and is deemed repealed on January 15, 2020 or the day after submission of the report required by section one of this local law, whichever is later.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on November 14, 2019 and approved by the Mayor on December 4, 2019.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 214 of 2019, Council Int. No. 1580-A of 2019) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel.