

Senator Wiklund from the Committee on Health and Human Services, to which was referred

S.F. No. 3134: A bill for an act relating to health; permitting the conversion of human remains to basic elements using natural organic reduction; establishing licensure requirements for natural organic reduction facilities; establishing licensure fees; amending Minnesota Statutes 2022, sections 149A.01, subdivision 3; 149A.02, subdivisions 3, 16, 26a, 27, 35, 37c, by adding subdivisions; 149A.03; 149A.65, by adding a subdivision; 149A.70, subdivisions 1, 2, 3, 5; 149A.71, subdivisions 2, 4; 149A.72, subdivisions 3, 9; 149A.73, subdivision 1; 149A.74, subdivision 1; 149A.93, subdivision 3; 149A.94, subdivisions 1, 3, 4; proposing coding for new law in Minnesota Statutes, chapter 149A.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 to 3, delete sections 1 to 5 and insert:

"Section 1. Minnesota Statutes 2022, section 149A.02, subdivision 3, is amended to read:

Subd. 3. **Arrangements for disposition.** "Arrangements for disposition" means any action normally taken by a funeral provider in anticipation of or preparation for the entombment, burial in a cemetery, alkaline hydrolysis, ~~or~~ cremation, or, effective July 1, 2025, natural organic reduction of a dead human body.

Sec. 2. Minnesota Statutes 2022, section 149A.02, subdivision 16, is amended to read:

Subd. 16. **Final disposition.** "Final disposition" means the acts leading to and the entombment, burial in a cemetery, alkaline hydrolysis, ~~or~~ cremation, or, effective July 1, 2025, natural organic reduction of a dead human body.

Sec. 3. Minnesota Statutes 2022, section 149A.02, subdivision 26a, is amended to read:

Subd. 26a. **Inurnment.** "Inurnment" means placing hydrolyzed or cremated remains in a hydrolyzed or cremated remains container suitable for placement, burial, or shipment. Effective July 1, 2025, inurnment also includes placing naturally reduced remains in a naturally reduced remains container suitable for placement, burial, or shipment.

Sec. 4. Minnesota Statutes 2022, section 149A.02, subdivision 27, is amended to read:

Subd. 27. **Licensee.** "Licensee" means any person or entity that has been issued a license to practice mortuary science, to operate a funeral establishment, to operate an alkaline hydrolysis facility, ~~or~~ to operate a crematory, or, effective July 1, 2025, to operate a natural organic reduction facility by the Minnesota commissioner of health."

Page 3, lines 18, 23, and 27, after the period, insert "This subdivision is effective July 1, 2025."

2.1 Page 4, lines 5 and 9, after the period, insert "This subdivision is effective July 1, 2025."

2.2 Page 4, delete sections 11 and 12 and insert:

2.3 "Sec. 10. Minnesota Statutes 2022, section 149A.02, subdivision 35, is amended to read:

2.4 Subd. 35. **Processing.** "Processing" means the removal of foreign objects, drying or
2.5 cooling, and the reduction of the hydrolyzed ~~or~~ remains, cremated remains, or, effective
2.6 July 1, 2025, naturally reduced remains by mechanical means including, but not limited to,
2.7 grinding, crushing, or pulverizing, to a granulated appearance appropriate for final
2.8 disposition.

2.9 Sec. 11. Minnesota Statutes 2022, section 149A.02, subdivision 37c, is amended to read:

2.10 Subd. 37c. **Scattering.** "Scattering" means the authorized dispersal of hydrolyzed ~~or~~
2.11 remains, cremated remains, or, effective July 1, 2025, naturally reduced remains in a defined
2.12 area of a dedicated cemetery or in areas where no local prohibition exists provided that the
2.13 hydrolyzed ~~or~~ , cremated, or naturally reduced remains are not distinguishable to the public,
2.14 are not in a container, and that the person who has control over disposition of the hydrolyzed
2.15 ~~or~~ , cremated, or naturally reduced remains has obtained written permission of the property
2.16 owner or governing agency to scatter on the property."

2.17 Page 5, line 4, after "(vi)" insert "effective July 1, 2025,"

2.18 Page 5, line 27, before "Except" insert "This section is effective July 1, 2025."

2.19 Page 7, line 21, before "All" insert "This section is effective July 1, 2025."

2.20 Page 9, line 6, before "The" insert "This subdivision is effective July 1, 2025."

2.21 Page 9, line 21, after the period, insert "Effective July 1, 2025,"

2.22 Page 9, delete section 18 and insert:

2.23 "Sec. 17. Minnesota Statutes 2022, section 149A.70, subdivision 2, is amended to read:

2.24 Subd. 2. **Business location.** A funeral establishment, alkaline hydrolysis facility, ~~or~~
2.25 crematory, or, effective July 1, 2025, natural organic reduction facility shall not do business
2.26 in a location that is not licensed as a funeral establishment, alkaline hydrolysis facility, ~~or~~
2.27 crematory, or natural organic reduction facility and shall not advertise a service that is
2.28 available from an unlicensed location."

2.29 Page 10, delete section 19 and insert:

3.1 "Sec. 18. Minnesota Statutes 2022, section 149A.70, subdivision 3, is amended to read:

3.2 Subd. 3. **Advertising.** No licensee, clinical student, practicum student, or intern shall
3.3 publish or disseminate false, misleading, or deceptive advertising. False, misleading, or
3.4 deceptive advertising includes, but is not limited to:

3.5 (1) identifying, by using the names or pictures of, persons who are not licensed to practice
3.6 mortuary science in a way that leads the public to believe that those persons will provide
3.7 mortuary science services;

3.8 (2) using any name other than the names under which the funeral establishment, alkaline
3.9 hydrolysis facility, ~~or~~ crematory, or, effective July 1, 2025, natural organic reduction facility
3.10 is known to or licensed by the commissioner;

3.11 (3) using a surname not directly, actively, or presently associated with a licensed funeral
3.12 establishment, alkaline hydrolysis facility, ~~or~~ crematory, or, effective July 1, 2025, natural
3.13 organic reduction facility, unless the surname had been previously and continuously used
3.14 by the licensed funeral establishment, alkaline hydrolysis facility, ~~or~~ crematory, or natural
3.15 organic reduction facility; and

3.16 (4) using a founding or establishing date or total years of service not directly or
3.17 continuously related to a name under which the funeral establishment, alkaline hydrolysis
3.18 facility, ~~or~~ crematory, or, effective July 1, 2025, natural organic reduction facility is currently
3.19 or was previously licensed.

3.20 Any advertising or other printed material that contains the names or pictures of persons
3.21 affiliated with a funeral establishment, alkaline hydrolysis facility, ~~or~~ crematory, or, effective
3.22 July 1, 2025, natural organic reduction facility shall state the position held by the persons
3.23 and shall identify each person who is licensed or unlicensed under this chapter."

3.24 Page 10, delete section 20 and insert:

3.25 "Sec. 19. Minnesota Statutes 2022, section 149A.70, subdivision 5, is amended to read:

3.26 Subd. 5. **Reimbursement prohibited.** No licensee, clinical student, practicum student,
3.27 or intern shall offer, solicit, or accept a commission, fee, bonus, rebate, or other
3.28 reimbursement in consideration for recommending or causing a dead human body to be
3.29 disposed of by a specific body donation program, funeral establishment, alkaline hydrolysis
3.30 facility, crematory, mausoleum, ~~or~~ cemetery, or, effective July 1, 2025, natural organic
3.31 reduction facility."

Page 10, line 32, after the period, insert "This subdivision applies to natural organic reduction and naturally reduced remains goods and services effective July 1, 2025."

Page 12, line 24, after "hydrolysis" insert "facility"

Page 12, line 25, after "reduction" insert "facility"

Page 15, delete section 22 and insert:

"Sec. 21. Minnesota Statutes 2022, section 149A.71, subdivision 4, is amended to read:

Subd. 4. **Casket, alternate container, alkaline hydrolysis container, naturally reduced remains container, and cremation container sales; records; required disclosures.** Any funeral provider who sells or offers to sell a casket, alternate container, alkaline hydrolysis container, hydrolyzed remains container, cremation container, ~~or~~ cremated remains container, or, effective July 1, 2025, naturally reduced remains container to the public must maintain a record of each sale that includes the name of the purchaser, the purchaser's mailing address, the name of the decedent, the date of the decedent's death, and the place of death. These records shall be open to inspection by the regulatory agency. Any funeral provider selling a casket, alternate container, or cremation container to the public, and not having charge of the final disposition of the dead human body, shall provide a copy of the statutes and rules controlling the removal, preparation, transportation, arrangements for disposition, and final disposition of a dead human body. This subdivision does not apply to morticians, funeral directors, funeral establishments, crematories, or wholesale distributors of caskets, alternate containers, alkaline hydrolysis containers, or cremation containers."

Page 16, delete sections 23 to 26 and insert:

"Sec. 22. Minnesota Statutes 2022, section 149A.72, subdivision 3, is amended to read:

Subd. 3. **Casket for alkaline hydrolysis, natural organic reduction, or cremation provisions; deceptive acts or practices.** In selling or offering to sell funeral goods or funeral services to the public, it is a deceptive act or practice for a funeral provider to represent that a casket is required for alkaline hydrolysis ~~or~~, cremations, or, effective July 1, 2025, natural organic reduction by state or local law or otherwise.

Sec. 23. Minnesota Statutes 2022, section 149A.72, subdivision 9, is amended to read:

Subd. 9. **Deceptive acts or practices.** In selling or offering to sell funeral goods, funeral services, burial site goods, or burial site services to the public, it is a deceptive act or practice for a funeral provider to represent that federal, state, or local laws, or particular cemeteries,

alkaline hydrolysis facilities, ~~or~~ crematories, or, effective July 1, 2025, natural organic reduction facilities require the purchase of any funeral goods, funeral services, burial site goods, or burial site services when that is not the case.

Sec. 24. Minnesota Statutes 2022, section 149A.73, subdivision 1, is amended to read:

Subdivision 1. **Casket for alkaline hydrolysis, natural organic reduction, or cremation provisions; deceptive acts or practices.** In selling or offering to sell funeral goods, funeral services, burial site goods, or burial site services to the public, it is a deceptive act or practice for a funeral provider to require that a casket be purchased for alkaline hydrolysis ~~or~~, cremation, or, effective July 1, 2025, natural organic reduction.

Sec. 25. Minnesota Statutes 2022, section 149A.74, subdivision 1, is amended to read:

Subdivision 1. **Services provided without prior approval; deceptive acts or practices.** In selling or offering to sell funeral goods or funeral services to the public, it is a deceptive act or practice for any funeral provider to embalm a dead human body unless state or local law or regulation requires embalming in the particular circumstances regardless of any funeral choice which might be made, or prior approval for embalming has been obtained from an individual legally authorized to make such a decision. In seeking approval to embalm, the funeral provider must disclose that embalming is not required by law except in certain circumstances; that a fee will be charged if a funeral is selected which requires embalming, such as a funeral with viewing; and that no embalming fee will be charged if the family selects a service which does not require embalming, such as direct alkaline hydrolysis, direct cremation, ~~or immediate burial~~, or, effective July 1, 2025, natural organic reduction."

Page 17, delete sections 27 to 29 and insert:

"Sec. 26. Minnesota Statutes 2022, section 149A.93, subdivision 3, is amended to read:

Subd. 3. **Disposition permit.** A disposition permit is required before a body can be buried, entombed, alkaline hydrolyzed, ~~or cremated~~, or, effective July 1, 2025, naturally reduced. No disposition permit shall be issued until a fact of death record has been completed and filed with the state registrar of vital records.

Sec. 27. Minnesota Statutes 2022, section 149A.94, subdivision 1, is amended to read:

Subdivision 1. **Generally.** Every dead human body lying within the state, except unclaimed bodies delivered for dissection by the medical examiner, those delivered for

anatomical study pursuant to section 149A.81, subdivision 2, or lawfully carried through the state for the purpose of disposition elsewhere; and the remains of any dead human body after dissection or anatomical study, shall be decently buried or entombed in a public or private cemetery, alkaline hydrolyzed, ~~or cremated~~, or, effective July 1, 2025, naturally reduced within a reasonable time after death. Where final disposition of a body will not be accomplished, or, effective July 1, 2025, when natural organic reduction will not be initiated, within 72 hours following death or release of the body by a competent authority with jurisdiction over the body, the body must be properly embalmed, refrigerated, or packed with dry ice. A body may not be kept in refrigeration for a period exceeding six calendar days, or packed in dry ice for a period that exceeds four calendar days, from the time of death or release of the body from the coroner or medical examiner.

Sec. 28. Minnesota Statutes 2022, section 149A.94, subdivision 3, is amended to read:

Subd. 3. **Permit required.** No dead human body shall be buried, entombed, ~~or cremated~~, alkaline hydrolyzed, or, effective July 1, 2025, naturally reduced without a disposition permit. The disposition permit must be filed with the person in charge of the place of final disposition. Where a dead human body will be transported out of this state for final disposition, the body must be accompanied by a certificate of removal."

Page 18, delete section 30 and insert:

"Sec. 29. Minnesota Statutes 2022, section 149A.94, subdivision 4, is amended to read:

Subd. 4. **Alkaline hydrolysis ~~or~~, cremation, or natural organic reduction.** Inurnment of alkaline hydrolyzed ~~or remains~~, cremated remains, or, effective July 1, 2025, naturally reduced remains and release to an appropriate party is considered final disposition and no further permits or authorizations are required for transportation, interment, entombment, or placement of the ~~cremated~~ remains, except as provided in section 149A.95, subdivision 16."

Page 18, line 9, before "A" insert "This section is effective July 1, 2025."

Page 19, delete subdivision 6 and insert:

"Subd. 6. **Limitation of liability.** The limitations in section 149A.95, subdivision 5, apply to natural organic reduction facilities."

Page 21, line 18, delete "section" and insert "subdivision"

Page 22, delete subdivision 16 and insert:

7.1

"Subd. 16. **Natural organic reduction procedures; processing naturally reduced**

7.2

remains. The naturally reduced remains shall be cured appropriately, larger fragments

7.3

having been prepared before curing to accommodate the final reduction. This preparation

7.4

may include the use of a motorized mechanical processor."

7.5

Renumber the sections in sequence

7.6

Amend the title numbers accordingly

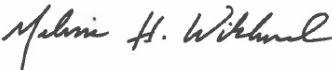
7.7

And when so amended the bill do pass and be re-referred to the Committee on Judiciary

7.8

and Public Safety. Amendments adopted. Report adopted.

7.9



7.10

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(Committee Chair)

7.11

March 14, 2024.....

7.12

(Date of Committee recommendation)