



General Assembly

Substitute Bill No. 6485

January Session, 2023



AN ACT CONCERNING NATURAL ORGANIC REDUCTION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2023*) (a) (1) For purposes of
2 this section:

3 (A) "Cemetery corporation" means any corporation formed for the
4 disposal or burial of deceased human beings, by cremation, natural
5 organic reduction or in a grave, mausoleum, vault, columbarium or
6 other receptacle but does not include a family cemetery corporation or
7 a private cemetery corporation. "Cemetery corporation" includes any
8 cemetery, crematory or funeral home;

9 (B) "Holding facility" or "temporary storage area" means any area
10 that (i) is designated for the retention of human remains prior to
11 cremation or natural organic reduction; (ii) complies with all
12 applicable public health laws, (iii) preserves the health and safety of
13 the crematory or natural organic reduction facility personnel; and (iv)
14 is secure from access by anyone other than authorized persons, with
15 the interior of such area not visible from any area accessible to the
16 general public;

17 (C) "Natural organic reduction permit" means the permit required
18 by the Commissioner of Public Health for disposition of the remains of

19 a deceased human being by natural organic reduction;

20 (D) "Natural organic reduction" means the contained, accelerated
21 conversion of human remains to soil; and

22 (E) "Natural organic reduction facility" means a structure, room or
23 other space in a building or real property where natural organic
24 reduction of a human body occurs.

25 (2) Any cemetery corporation that operates a natural organic
26 reduction facility shall have the following duties and obligations: (A)
27 Each natural organic reduction facility shall be maintained in a clean,
28 orderly and sanitary manner, with adequate ventilation and shall have
29 a temporary storage area available to store the remains of deceased
30 persons pending disposition by natural organic reduction, the interior
31 of which shall not be accessible to the general public; (B) entrances and
32 windows of any natural organic reduction facility shall be maintained
33 at all times in order to secure privacy, including the tight closure of
34 doors, the covering of windows and the provision of locked and
35 secured entrances when not actively attended by authorized natural
36 reduction facility personnel; (C) the natural organic reduction process
37 shall be conducted in privacy and no person except authorized persons
38 of such facility shall be admitted into the reduction area, holding
39 facility or the temporary storage area while the remains of deceased
40 human beings are being naturally organically reduced; and (D)
41 authorized persons, on admittance, shall comply with all rules of the
42 cemetery corporation and not infringe upon the privacy of the remains
43 of any deceased person. For the purposes of this section, "authorized
44 persons" includes (i) licensed, registered funeral directors, registered
45 residents and enrolled students of mortuary science; (ii) officers and
46 trustees of the cemetery corporation; (iii) authorized employees and
47 authorized agents of the cemetery corporation; (iv) public officers
48 acting in the discharge of their duties; (v) authorized instructors of
49 funeral directing schools; (vi) licensed physicians or nurses; and (vii)
50 members of the immediate family of the deceased person and
51 authorized agents and designated representatives of such immediate

52 family members;

53 (b) No natural organic reduction facility shall naturally organically
54 reduce the remains of any deceased human being without the
55 accompanying natural organic reduction permit, required and
56 prescribed by the Commissioner of Public Health, which shall
57 constitute presumptive evidence of the identity of the deceased
58 person's remains. A natural organic reduction authorization form,
59 prescribed by the Commissioner of Public Health, shall accompany
60 such permit and shall be signed by the immediate family member or
61 an authorizing agent who shall attest to the permission for the natural
62 organic reduction of the deceased person and disclose to the natural
63 organic reduction facility whether the body of such deceased person
64 contains a battery, battery pack, power cell, radioactive implant or
65 radioactive device or whether any such material was removed from
66 the deceased person's body prior to the natural organic reduction
67 process.

68 (c) The natural organic reduction process shall not commence until
69 reasonable confirmation of the identity of the deceased person is made.
70 Such proof may be in the form of, but not limited to, a signed affidavit
71 from a licensed physician, a member of the immediate family of the
72 deceased person, an authorizing agent or a court order from the
73 Superior Court. The natural organic reduction facility shall ensure that
74 the identification established by the natural organic reduction permit
75 accompanies the remains of the deceased person during the natural
76 organic reduction process and until the identity of the deceased person
77 is accurately and legibly inscribed on the container in which the
78 remains of the deceased person are temporarily placed.

79 (d) (1) The remains of a deceased person shall be delivered to the
80 natural organic reduction facility in an alternative container or in
81 external wrappings sufficient to contain the remains and that is
82 designed to fully decompose in the natural reduction process. Such
83 alternative container or external wrappings shall not be opened after
84 delivery of the deceased person's body to the natural organic reduction

85 facility unless (A) there exists good cause to: (i) Confirm the identity of
86 the deceased person, or (ii) ensure that no material is enclosed that
87 might cause injury to employees of the natural organic reduction
88 facility or damage to property of the natural organic reduction facility;
89 or (B) it is upon the reasonable demand by members of the immediate
90 family or the authorized agent of such immediate family.

91 (2) In any instance in which such alternative container or wrappings
92 are opened after delivery of the deceased person to the natural organic
93 reduction facility, such action shall only be conducted by the licensed
94 funeral director or registered person who delivers the remains of the
95 deceased person. A record shall be made by such natural organic
96 reduction facility, at the time of any such action, that includes the
97 reason for such action, the signature of the person authorizing such
98 action and the names of any person who opens such container or
99 wrappings and the witness to such action. Any such record shall be
100 retained in the permanent files of the natural organic reduction facility.
101 Any such opening of such container or wrappings shall be conducted
102 in the presence of a witness and shall comply with any rule or
103 regulation prescribed by the Commissioner of Public Health that is
104 intended to protect the integrity of the deceased person's remains and
105 the health and safety of natural organic reduction facility personnel.

106 (e) Whenever the remains of a deceased person are to be delivered
107 to a natural organic reduction facility in a casket that is not to be
108 naturally organically reduced with the deceased person, written notice
109 of such fact shall be made by the person responsible for the funeral
110 arrangements of the deceased person to the natural organic reduction
111 facility. Such written notice shall indicate that prior to natural organic
112 reduction, the remains of the deceased person are to be transferred to
113 an alternative container. The natural organic reduction facility shall
114 retain such written notice in the permanent records of such facility.

115 (f) (1) The remains of a deceased person shall not be removed from
116 the casket, alternative container or external wrappings in which they
117 were delivered to the natural organic reduction facility unless a signed

118 authorization is provided by the person responsible for making funeral
119 arrangements for such deceased person or by a public officer
120 discharging his or her statutory duty. Such signed authorization shall
121 be retained in the permanent records of such natural organic reduction
122 facility.

123 (2) Whenever the remains of a deceased person are to be transferred
124 to an alternative container, such transfer shall be conducted in privacy
125 and with dignity and respect for such remains by the licensed funeral
126 director or registered person who delivered such remains. Such
127 transfer shall comply with all rules and regulations of the Department
128 of Public Health that are intended to protect the dignity of the
129 deceased person's remains and the health and safety of the natural
130 organic reduction facility personnel.

131 (g) No person shall commingle or place the naturally organically
132 reduced remains of more than one deceased person in a reduction
133 container at any one time except upon provision of a signed
134 authorization provided by the person responsible for making the
135 funeral arrangements for the deceased person and the signed approval
136 of the natural organic reduction facility. Such authorizations and
137 approvals shall be retained in the permanent records of the natural
138 organic reduction facility.

139 (h) (1) Upon the completion of the natural organic reduction of the
140 remains of a deceased person, the interior of the natural organic
141 reduction container shall be thoroughly swept or otherwise cleaned so
142 as to render the natural organic reduction container reasonably free of
143 all matter. The contents of such reduction container shall be placed
144 into an individual container and not commingled with other remains.
145 The natural organic reduction permit shall be attached to the
146 individual container in preparation for final processing.

147 (2) Use of a magnet and sieve, or other appropriate method of
148 separation, may be used to divide such remains from unrecognizable
149 incidental or foreign material.

150 (3) Any incidental or foreign material of the natural organic
151 reduction process shall be disposed of in a safe manner in compliance
152 with all sanitary rules and regulations of the Commissioner of Public
153 Health for such byproducts.

154 (4) Such remains shall be pulverized until no single fragment is
155 recognizable as skeletal tissue and such pulverized remains shall be
156 transferred to a container or to multiple containers, if so requested in
157 writing by the person responsible for making the funeral arrangements
158 for the deceased person. Any such container shall have inside
159 dimensions of suitable size to contain such naturally organically
160 reduced remains and shall be accurately and legibly labeled with the
161 name of the person whose remains are contained therein, in a manner
162 as prescribed by the Commissioner of Public Health.

163 (i) (1) Upon completion of the natural organic reduction process, the
164 cemetery corporation shall notify the person responsible for making
165 the funeral arrangements for such deceased person that the natural
166 organic reduction process is complete and that the remains are
167 prepared to be disposed of in accordance with the provisions of this
168 subsection. The person responsible for making the funeral
169 arrangements for such deceased person shall be responsible for the
170 final disposition of such remains. Such remains shall be disposed of
171 through the scattering of such remains in a designated scattering
172 garden or area in a cemetery, or by prior authorization by the cemetery
173 corporation, by placing such remains in a grave, crypt or niche, or
174 retention of such remains, pursuant to prior authorization, by the
175 person responsible for making the funeral arrangements for such
176 deceased person. Such remains shall not be recoverable once they are
177 scattered or interred.

178 (2) If, after a period of one hundred twenty days from the date of
179 the completion of the natural organic reduction process, the person
180 responsible for the funeral arrangements for the deceased person has
181 not instructed the cemetery corporation to arrange for the final
182 disposition of the remains or claimed the remains, the cemetery

183 corporation may dispose of such remains in any manner prescribed by
184 this subsection. The cemetery corporation shall keep a permanent
185 record identifying the site of final disposition for any such remains.
186 The person responsible for the funeral arrangements for such deceased
187 person shall be responsible for reimbursing the cemetery corporation
188 for all reasonable expenses incurred for the disposing of such remains
189 in accordance with the provisions of this subsection. After the
190 disposition of such remains, the cemetery corporation shall be
191 discharged from any legal obligation or liability concerning the
192 remains.

193 (3) Unless the person responsible for making the funeral
194 arrangements for such deceased person provides written permission,
195 no person shall place remains of more than one person in the same
196 temporary container or urn.

197 (j) Any employee of a natural organic reduction facility who is
198 responsible for conducting the daily operations of the natural organic
199 reduction process shall be certified by an organization approved by the
200 Commissioner of Public Health. Proof of such certification shall be
201 posted in the natural organic reduction facility and available for
202 inspection at any time. Any new employee of a natural organic
203 reduction facility required to be certified pursuant to this subsection
204 shall be certified not later than one year after commencement of such
205 employment. Any employee of a natural organic reduction facility
206 required to be certified pursuant to this subsection and employed by
207 such facility prior to the effective date of this section shall be certified
208 not later than one year after such effective date. Such certification shall
209 be completed every five years from the date of such certification.

210 (k) (1) Any cemetery corporation that seeks approval to operate a
211 natural organic reduction facility shall submit for approval by the
212 Commissioner of Public Health the following:

213 (A) A list of the directors, employees and certificate holders of the
214 cemetery corporation;

215 (B) A certified survey of the site and location where such facility will
216 be located;

217 (C) A business plan for the operation of the natural organic
218 reduction facility that includes, but is not limited to, the number of
219 expected natural organic reductions per year, the number of natural
220 organic reduction containers to be used, all manufacturing, capital
221 costs and financing, the anticipated number of employees, and the
222 types of services provided and pricing thereof;

223 (D) A description of the impact of the proposed natural organic
224 reduction facility on other natural organic reduction facilities, if any,
225 within the county where such facility is located;

226 (E) Plans, designs and costs of any structures to be erected or
227 retrofitted for the natural organic reduction facility's use; and

228 (F) A description of any other approvals or permits required by
229 state law or municipal ordinance.

230 (2) The commissioner shall not approve any natural organic
231 reduction facility that does not have all other approvals or permits.
232 The commissioner may request from such applicant any additional
233 information or documentation and technical assistance deemed
234 necessary to review such information. Such information shall not be
235 deemed complete until any requested additional information has been
236 received by the commissioner. The commissioner shall approve or
237 deny the proposed natural organic reduction facility not later than
238 ninety days after completion of the submission of all information by
239 written notice. If the commissioner denies any application for such a
240 facility, such written notice shall state the reasons for such denial.

241 (l) Not later than October 1, 2023, the Commissioner of Public
242 Health shall adopt regulations, in accordance with the provisions of
243 chapter 54 of the general statutes, to implement the provisions of this
244 section. Such regulations shall take effect not later than January 1, 2024.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2023</i>	New section
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Statement of Legislative Commissioners:

Technical changes were made in subsections (a) to (k), inclusive, for clarity and conformity with standard drafting conventions.

ENV *Joint Favorable Subst.*