

SENATE

STATE OF MINNESOTA

NINETY-THIRD SESSION

S.F. No. 3134

(SENATE AUTHORS: MARTY, Kunesh and Dibble)		
DATE	D-PG	OFFICIAL STATUS
03/27/2023	2722	Introduction and first reading Referred to Health and Human Services
03/18/2024	12397a	Comm report: To pass as amended and re-refer to Judiciary and Public Safety
03/21/2024	12510a	Comm report: To pass as amended and re-refer to Health and Human Services

1.1

A bill for an act

1.2

relating to health; permitting the conversion of human remains to basic elements

1.3

using natural organic reduction; establishing licensure requirements for natural

1.4

organic reduction facilities; establishing licensure fees; amending Minnesota

1.5

Statutes 2022, sections 149A.02, subdivisions 3, 16, 26a, 27, 35, 37c, by adding

1.6

subdivisions; 149A.03; 149A.65, by adding a subdivision; 149A.70, subdivisions

1.7

1, 2, 3, 5; 149A.71, subdivisions 2, 4; 149A.72, subdivisions 3, 9; 149A.73,

1.8

subdivision 1; 149A.74, subdivision 1; 149A.93, subdivision 3; 149A.94,

1.9

subdivisions 1, 3, 4; proposing coding for new law in Minnesota Statutes, chapter

1.10

149A.

1.11

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.12

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

1.13

Subd. 3. **Arrangements for disposition.** "Arrangements for disposition" means any

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action normally taken by a funeral provider in anticipation of or preparation for the

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entombment, burial in a cemetery, alkaline hydrolysis, ~~or~~ cremation, or, effective July 1,

1.16

2025, natural organic reduction of a dead human body.

1.17

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

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Subd. 16. **Final disposition.** "Final disposition" means the acts leading to and the

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entombment, burial in a cemetery, alkaline hydrolysis, ~~or~~ cremation, or, effective July 1,

1.20

2025, natural organic reduction of a dead human body.

1.21

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

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Subd. 26a. **Inurnment.** "Inurnment" means placing hydrolyzed or cremated remains in

1.23

a hydrolyzed or cremated remains container suitable for placement, burial, or shipment.

2.1 Effective July 1, 2025, inurnment also includes placing naturally reduced remains in a
2.2 naturally reduced remains container suitable for placement, burial, or shipment.

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

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

2.8 Sec. 5. Minnesota Statutes 2022, section 149A.02, is amended by adding a subdivision to
2.9 read:

2.10 Subd. 30b. **Natural organic reduction or naturally reduce.** "Natural organic reduction"
2.11 or "naturally reduce" means the contained, accelerated conversion of a dead human body
2.12 to soil. This subdivision is effective July 1, 2025.

2.13 Sec. 6. Minnesota Statutes 2022, section 149A.02, is amended by adding a subdivision to
2.14 read:

2.15 Subd. 30c. **Natural organic reduction facility.** "Natural organic reduction facility"
2.16 means a structure, room, or other space in a building or real property where natural organic
2.17 reduction of a dead human body occurs. This subdivision is effective July 1, 2025.

2.18 Sec. 7. Minnesota Statutes 2022, section 149A.02, is amended by adding a subdivision to
2.19 read:

2.20 Subd. 30d. **Natural organic reduction vessel.** "Natural organic reduction vessel" means
2.21 the enclosed container in which natural organic reduction takes place. This subdivision is
2.22 effective July 1, 2025.

2.23 Sec. 8. Minnesota Statutes 2022, section 149A.02, is amended by adding a subdivision to
2.24 read:

2.25 Subd. 30e. **Naturally reduced remains.** "Naturally reduced remains" means the soil
2.26 remains following the natural organic reduction of a dead human body and the accompanying
2.27 plant material. This subdivision is effective July 1, 2025.

Sec. 9. Minnesota Statutes 2022, section 149A.02, is amended by adding a subdivision to read:

Subd. 30f. **Naturally reduced remains container.** "Naturally reduced remains container" means a receptacle in which naturally reduced remains are placed. This subdivision is effective July 1, 2025.

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

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

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

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

Sec. 12. Minnesota Statutes 2022, section 149A.03, is amended to read:

149A.03 DUTIES OF COMMISSIONER.

The commissioner shall:

(1) enforce all laws and adopt and enforce rules relating to the:

(i) removal, preparation, transportation, arrangements for disposition, and final disposition of dead human bodies;

(ii) licensure and professional conduct of funeral directors, morticians, interns, practicum students, and clinical students;

(iii) licensing and operation of a funeral establishment;

(iv) licensing and operation of an alkaline hydrolysis facility; ~~and~~

(v) licensing and operation of a crematory; and

- 4.1 (vi) effective July 1, 2025, licensing and operation of a natural organic reduction facility;
- 4.2 (2) provide copies of the requirements for licensure and permits to all applicants;
- 4.3 (3) administer examinations and issue licenses and permits to qualified persons and other
- 4.4 legal entities;
- 4.5 (4) maintain a record of the name and location of all current licensees and interns;
- 4.6 (5) perform periodic compliance reviews and premise inspections of licensees;
- 4.7 (6) accept and investigate complaints relating to conduct governed by this chapter;
- 4.8 (7) maintain a record of all current preneed arrangement trust accounts;
- 4.9 (8) maintain a schedule of application, examination, permit, and licensure fees, initial
- 4.10 and renewal, sufficient to cover all necessary operating expenses;
- 4.11 (9) educate the public about the existence and content of the laws and rules for mortuary
- 4.12 science licensing and the removal, preparation, transportation, arrangements for disposition,
- 4.13 and final disposition of dead human bodies to enable consumers to file complaints against
- 4.14 licensees and others who may have violated those laws or rules;
- 4.15 (10) evaluate the laws, rules, and procedures regulating the practice of mortuary science
- 4.16 in order to refine the standards for licensing and to improve the regulatory and enforcement
- 4.17 methods used; and
- 4.18 (11) initiate proceedings to address and remedy deficiencies and inconsistencies in the
- 4.19 laws, rules, or procedures governing the practice of mortuary science and the removal,
- 4.20 preparation, transportation, arrangements for disposition, and final disposition of dead
- 4.21 human bodies.

4.22 Sec. 13. **[149A.56] LICENSE TO OPERATE A NATURAL ORGANIC REDUCTION**

4.23 **FACILITY.**

4.24 Subdivision 1. **License requirement.** This section is effective July 1, 2025. Except as

4.25 provided in section 149A.01, subdivision 3, no person shall maintain, manage, or operate

4.26 a place or premises devoted to or used in the holding and natural organic reduction of a

4.27 dead human body without possessing a valid license to operate a natural organic reduction

4.28 facility issued by the commissioner of health.

4.29 Subd. 2. **Requirements for natural organic reduction facility.** (a) A natural organic

4.30 reduction facility licensed under this section must consist of:

(1) a building or structure that complies with applicable local and state building codes, zoning laws and ordinances, and environmental standards, and that contains one or more natural organic reduction vessels for the natural organic reduction of dead human bodies;

(2) a motorized mechanical device for processing naturally reduced remains; and

(3) an appropriate refrigerated holding facility for dead human bodies awaiting natural organic reduction.

(b) A natural organic reduction facility licensed under this section may also contain a display room for funeral goods.

Subd. 3. **Application procedure; documentation; initial inspection.** (a) An applicant for a license to operate a natural organic reduction facility shall submit a completed application to the commissioner. A completed application includes:

(1) a completed application form, as provided by the commissioner;

(2) proof of business form and ownership; and

(3) proof of liability insurance coverage or other financial documentation, as determined by the commissioner, that demonstrates the applicant's ability to respond in damages for liability arising from the ownership, maintenance, management, or operation of a natural organic reduction facility.

(b) Upon receipt of the application and appropriate fee, the commissioner shall review and verify all information. Upon completion of the verification process and resolution of any deficiencies in the application information, the commissioner shall conduct an initial inspection of the premises to be licensed. After the inspection and resolution of any deficiencies found and any reinspections as may be necessary, the commissioner shall make a determination, based on all the information available, to grant or deny licensure. If the commissioner's determination is to grant the license, the applicant shall be notified and the license shall issue and remain valid for a period prescribed on the license, but not to exceed one calendar year from the date of issuance of the license. If the commissioner's determination is to deny the license, the commissioner must notify the applicant, in writing, of the denial and provide the specific reason for denial.

Subd. 4. **Nontransferability of license.** A license to operate a natural organic reduction facility is not assignable or transferable and shall not be valid for any entity other than the one named. Each license issued to operate a natural organic reduction facility is valid only for the location identified on the license. A 50 percent or more change in ownership or location of the natural organic reduction facility automatically terminates the license. Separate

licenses shall be required of two or more persons or other legal entities operating from the same location.

Subd. 5. Display of license. Each license to operate a natural organic reduction facility must be conspicuously displayed in the natural organic reduction facility at all times. Conspicuous display means in a location where a member of the general public within the natural organic reduction facility is able to observe and read the license.

Subd. 6. Period of licensure. All licenses to operate a natural organic reduction facility issued by the commissioner are valid for a period of one calendar year beginning on July 1 and ending on June 30, regardless of the date of issuance.

Subd. 7. Reporting changes in license information. Any change of license information must be reported to the commissioner, on forms provided by the commissioner, no later than 30 calendar days after the change occurs. Failure to report changes is grounds for disciplinary action.

Subd. 8. Application information. All information submitted to the commissioner for a license to operate a natural organic reduction facility is classified as licensing data under section 13.41, subdivision 5.

Sec. 14. [149A.57] RENEWAL OF LICENSE TO OPERATE A NATURAL ORGANIC REDUCTION FACILITY.

Subdivision 1. Renewal required. This section is effective July 1, 2025. All licenses to operate a natural organic reduction facility issued by the commissioner expire on June 30 following the date of issuance of the license and must be renewed to remain valid.

Subd. 2. Renewal procedure and documentation. (a) Licensees who wish to renew their licenses must submit to the commissioner a completed renewal application no later than June 30 following the date the license was issued. A completed renewal application includes:

(1) a completed renewal application form, as provided by the commissioner; and

(2) proof of liability insurance coverage or other financial documentation, as determined by the commissioner, that demonstrates the applicant's ability to respond in damages for liability arising from the ownership, maintenance, management, or operation of a natural organic reduction facility.

(b) Upon receipt of the completed renewal application, the commissioner shall review and verify the information. Upon completion of the verification process and resolution of

7.1 any deficiencies in the renewal application information, the commissioner shall make a
7.2 determination, based on all the information available, to reissue or refuse to reissue the
7.3 license. If the commissioner's determination is to reissue the license, the applicant shall be
7.4 notified and the license shall issue and remain valid for a period prescribed on the license,
7.5 but not to exceed one calendar year from the date of issuance of the license. If the
7.6 commissioner's determination is to refuse to reissue the license, section 149A.09, subdivision
7.7 2, applies.

7.8 Subd. 3. **Penalty for late filing.** Renewal applications received after the expiration date
7.9 of a license will result in the assessment of a late filing penalty. The late filing penalty must
7.10 be paid before the reissuance of the license and received by the commissioner no later than
7.11 31 calendar days after the expiration date of the license.

7.12 Subd. 4. **Lapse of license.** A license to operate a natural organic reduction facility shall
7.13 automatically lapse when a completed renewal application is not received by the
7.14 commissioner within 31 calendar days after the expiration date of a license, or a late filing
7.15 penalty assessed under subdivision 3 is not received by the commissioner within 31 calendar
7.16 days after the expiration of a license.

7.17 Subd. 5. **Effect of lapse of license.** Upon the lapse of a license, the person to whom the
7.18 license was issued is no longer licensed to operate a natural organic reduction facility in
7.19 Minnesota. The commissioner shall issue a cease and desist order to prevent the lapsed
7.20 license holder from operating a natural organic reduction facility in Minnesota and may
7.21 pursue any additional lawful remedies as justified by the case.

7.22 Subd. 6. **Restoration of lapsed license.** The commissioner may restore a lapsed license
7.23 upon receipt and review of a completed renewal application, receipt of the late filing penalty,
7.24 and reinspection of the premises, provided that the receipt is made within one calendar year
7.25 from the expiration date of the lapsed license and the cease and desist order issued by the
7.26 commissioner has not been violated. If a lapsed license is not restored within one calendar
7.27 year from the expiration date of the lapsed license, the holder of the lapsed license cannot
7.28 be relicensed until the requirements in section 149A.56 are met.

7.29 Subd. 7. **Reporting changes in license information.** Any change of license information
7.30 must be reported to the commissioner, on forms provided by the commissioner, no later
7.31 than 30 calendar days after the change occurs. Failure to report changes is grounds for
7.32 disciplinary action.

7.33 Subd. 8. **Licensing information.** Section 13.41 applies to data collected and maintained
7.34 by the commissioner pursuant to this section.

8.1 Sec. 15. Minnesota Statutes 2022, section 149A.65, is amended by adding a subdivision
8.2 to read:

8.3 Subd. 6a. **Natural organic reduction facilities.** This subdivision is effective July 1,
8.4 2025. The initial and renewal fee for a natural organic reduction facility is \$425. The late
8.5 fee charge for a license renewal is \$100.

8.6 Sec. 16. Minnesota Statutes 2022, section 149A.70, subdivision 1, is amended to read:

8.7 Subdivision 1. **Use of titles.** Only a person holding a valid license to practice mortuary
8.8 science issued by the commissioner may use the title of mortician, funeral director, or any
8.9 other title implying that the licensee is engaged in the business or practice of mortuary
8.10 science. Only the holder of a valid license to operate an alkaline hydrolysis facility issued
8.11 by the commissioner may use the title of alkaline hydrolysis facility, water cremation,
8.12 water-reduction, biocremation, green-cremation, resomation, dissolution, or any other title,
8.13 word, or term implying that the licensee operates an alkaline hydrolysis facility. Only the
8.14 holder of a valid license to operate a funeral establishment issued by the commissioner may
8.15 use the title of funeral home, funeral chapel, funeral service, or any other title, word, or
8.16 term implying that the licensee is engaged in the business or practice of mortuary science.
8.17 Only the holder of a valid license to operate a crematory issued by the commissioner may
8.18 use the title of crematory, crematorium, green-cremation, or any other title, word, or term
8.19 implying that the licensee operates a crematory or crematorium. Effective July 1, 2025,
8.20 only the holder of a valid license to operate a natural organic reduction facility issued by
8.21 the commissioner may use the title of natural organic reduction facility, human composting,
8.22 or any other title, word, or term implying that the licensee operates a natural organic reduction
8.23 facility.

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

8.25 Subd. 2. **Business location.** A funeral establishment, alkaline hydrolysis facility, ~~or~~
8.26 crematory, or, effective July 1, 2025, natural organic reduction facility shall not do business
8.27 in a location that is not licensed as a funeral establishment, alkaline hydrolysis facility, ~~or~~
8.28 crematory, or natural organic reduction facility and shall not advertise a service that is
8.29 available from an unlicensed location.

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

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

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

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

9.11 (3) using a surname not directly, actively, or presently associated with a licensed funeral
9.12 establishment, alkaline hydrolysis facility, ~~or~~ crematory, or, effective July 1, 2025, natural
9.13 organic reduction facility, unless the surname had been previously and continuously used
9.14 by the licensed funeral establishment, alkaline hydrolysis facility, ~~or~~ crematory, or natural
9.15 organic reduction facility; and

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

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

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

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

10.1 Sec. 20. Minnesota Statutes 2022, section 149A.71, subdivision 2, is amended to read:

10.2 Subd. 2. **Preventive requirements.** (a) To prevent unfair or deceptive acts or practices,
10.3 the requirements of this subdivision must be met. This subdivision applies to natural organic
10.4 reduction and naturally reduced remains, goods, and services effective July 1, 2025.

10.5 (b) Funeral providers must tell persons who ask by telephone about the funeral provider's
10.6 offerings or prices any accurate information from the price lists described in paragraphs (c)
10.7 to (e) and any other readily available information that reasonably answers the questions
10.8 asked.

10.9 (c) Funeral providers must make available for viewing to people who inquire in person
10.10 about the offerings or prices of funeral goods or burial site goods, separate printed or
10.11 typewritten price lists using a ten-point font or larger. Each funeral provider must have a
10.12 separate price list for each of the following types of goods that are sold or offered for sale:

10.13 (1) caskets;

10.14 (2) alternative containers;

10.15 (3) outer burial containers;

10.16 (4) alkaline hydrolysis containers;

10.17 (5) cremation containers;

10.18 (6) hydrolyzed remains containers;

10.19 (7) cremated remains containers;

10.20 (8) markers; ~~and~~

10.21 (9) headstones; and

10.22 (10) naturally reduced remains containers.

10.23 (d) Each separate price list must contain the name of the funeral provider's place of
10.24 business, address, and telephone number and a caption describing the list as a price list for
10.25 one of the types of funeral goods or burial site goods described in paragraph (c), clauses
10.26 (1) to ~~(9)~~ (10). The funeral provider must offer the list upon beginning discussion of, but
10.27 in any event before showing, the specific funeral goods or burial site goods and must provide
10.28 a photocopy of the price list, for retention, if so asked by the consumer. The list must contain,
10.29 at least, the retail prices of all the specific funeral goods and burial site goods offered which
10.30 do not require special ordering, enough information to identify each, and the effective date
10.31 for the price list. However, funeral providers are not required to make a specific price list

11.1 available if the funeral providers place the information required by this paragraph on the
11.2 general price list described in paragraph (e).

11.3 (e) Funeral providers must give a printed price list, for retention, to persons who inquire
11.4 in person about the funeral goods, funeral services, burial site goods, or burial site services
11.5 or prices offered by the funeral provider. The funeral provider must give the list upon
11.6 beginning discussion of either the prices of or the overall type of funeral service or disposition
11.7 or specific funeral goods, funeral services, burial site goods, or burial site services offered
11.8 by the provider. This requirement applies whether the discussion takes place in the funeral
11.9 establishment or elsewhere. However, when the deceased is removed for transportation to
11.10 the funeral establishment, an in-person request for authorization to embalm does not, by
11.11 itself, trigger the requirement to offer the general price list. If the provider, in making an
11.12 in-person request for authorization to embalm, discloses that embalming is not required by
11.13 law except in certain special cases, the provider is not required to offer the general price
11.14 list. Any other discussion during that time about prices or the selection of funeral goods,
11.15 funeral services, burial site goods, or burial site services triggers the requirement to give
11.16 the consumer a general price list. The general price list must contain the following
11.17 information:

11.18 (1) the name, address, and telephone number of the funeral provider's place of business;

11.19 (2) a caption describing the list as a "general price list";

11.20 (3) the effective date for the price list;

11.21 (4) the retail prices, in any order, expressed either as a flat fee or as the prices per hour,
11.22 mile, or other unit of computation, and other information described as follows:

11.23 (i) forwarding of remains to another funeral establishment, together with a list of the
11.24 services provided for any quoted price;

11.25 (ii) receiving remains from another funeral establishment, together with a list of the
11.26 services provided for any quoted price;

11.27 (iii) separate prices for each alkaline hydrolysis, natural organic reduction, or cremation
11.28 offered by the funeral provider, with the price including an alternative container or shroud
11.29 or alkaline hydrolysis facility or cremation container; any alkaline hydrolysis, natural
11.30 organic reduction facility, or crematory charges; and a description of the services and
11.31 container included in the price, where applicable, and the price of alkaline hydrolysis or
11.32 cremation where the purchaser provides the container;

- 12.1 (iv) separate prices for each immediate burial offered by the funeral provider, including
12.2 a casket or alternative container, and a description of the services and container included
12.3 in that price, and the price of immediate burial where the purchaser provides the casket or
12.4 alternative container;
- 12.5 (v) transfer of remains to the funeral establishment or other location;
- 12.6 (vi) embalming;
- 12.7 (vii) other preparation of the body;
- 12.8 (viii) use of facilities, equipment, or staff for viewing;
- 12.9 (ix) use of facilities, equipment, or staff for funeral ceremony;
- 12.10 (x) use of facilities, equipment, or staff for memorial service;
- 12.11 (xi) use of equipment or staff for graveside service;
- 12.12 (xii) hearse or funeral coach;
- 12.13 (xiii) limousine; and
- 12.14 (xiv) separate prices for all cemetery-specific goods and services, including all goods
12.15 and services associated with interment and burial site goods and services and excluding
12.16 markers and headstones;
- 12.17 (5) the price range for the caskets offered by the funeral provider, together with the
12.18 statement "A complete price list will be provided at the funeral establishment or casket sale
12.19 location." or the prices of individual caskets, as disclosed in the manner described in
12.20 paragraphs (c) and (d);
- 12.21 (6) the price range for the alternative containers or shrouds offered by the funeral provider,
12.22 together with the statement "A complete price list will be provided at the funeral
12.23 establishment or alternative container sale location." or the prices of individual alternative
12.24 containers, as disclosed in the manner described in paragraphs (c) and (d);
- 12.25 (7) the price range for the outer burial containers offered by the funeral provider, together
12.26 with the statement "A complete price list will be provided at the funeral establishment or
12.27 outer burial container sale location." or the prices of individual outer burial containers, as
12.28 disclosed in the manner described in paragraphs (c) and (d);
- 12.29 (8) the price range for the alkaline hydrolysis container offered by the funeral provider,
12.30 together with the statement "A complete price list will be provided at the funeral
12.31 establishment or alkaline hydrolysis container sale location." or the prices of individual

13.1 alkaline hydrolysis containers, as disclosed in the manner described in paragraphs (c) and
13.2 (d);

13.3 (9) the price range for the hydrolyzed remains container offered by the funeral provider,
13.4 together with the statement "A complete price list will be provided at the funeral
13.5 establishment or hydrolyzed remains container sale location." or the prices of individual
13.6 hydrolyzed remains container, as disclosed in the manner described in paragraphs (c) and
13.7 (d);

13.8 (10) the price range for the cremation containers offered by the funeral provider, together
13.9 with the statement "A complete price list will be provided at the funeral establishment or
13.10 cremation container sale location." or the prices of individual cremation containers, as
13.11 disclosed in the manner described in paragraphs (c) and (d);

13.12 (11) the price range for the cremated remains containers offered by the funeral provider,
13.13 together with the statement, "A complete price list will be provided at the funeral
13.14 establishment or cremated remains container sale location," or the prices of individual
13.15 cremation containers as disclosed in the manner described in paragraphs (c) and (d);

13.16 (12) the price range for the naturally reduced remains containers offered by the funeral
13.17 provider, together with the statement, "A complete price list will be provided at the funeral
13.18 establishment or naturally reduced remains container sale location," or the prices of individual
13.19 naturally reduced remains containers as disclosed in the manner described in paragraphs
13.20 (c) and (d);

13.21 ~~(12)~~ (13) the price for the basic services of funeral provider and staff, together with a
13.22 list of the principal basic services provided for any quoted price and, if the charge cannot
13.23 be declined by the purchaser, the statement "This fee for our basic services will be added
13.24 to the total cost of the funeral arrangements you select. (This fee is already included in our
13.25 charges for alkaline hydrolysis, natural organic reduction, direct cremations, immediate
13.26 burials, and forwarding or receiving remains.)" If the charge cannot be declined by the
13.27 purchaser, the quoted price shall include all charges for the recovery of unallocated funeral
13.28 provider overhead, and funeral providers may include in the required disclosure the phrase
13.29 "and overhead" after the word "services." This services fee is the only funeral provider fee
13.30 for services, facilities, or unallocated overhead permitted by this subdivision to be
13.31 nondeclinable, unless otherwise required by law;

13.32 ~~(13)~~ (14) the price range for the markers and headstones offered by the funeral provider,
13.33 together with the statement "A complete price list will be provided at the funeral

14.1 establishment or marker or headstone sale location." or the prices of individual markers and
14.2 headstones, as disclosed in the manner described in paragraphs (c) and (d); and

14.3 ~~(14)~~ (15) any package priced funerals offered must be listed in addition to and following
14.4 the information required in paragraph (e) and must clearly state the funeral goods and
14.5 services being offered, the price being charged for those goods and services, and the
14.6 discounted savings.

14.7 (f) Funeral providers must give an itemized written statement, for retention, to each
14.8 consumer who arranges an at-need funeral or other disposition of human remains at the
14.9 conclusion of the discussion of the arrangements. The itemized written statement must be
14.10 signed by the consumer selecting the goods and services as required in section 149A.80. If
14.11 the statement is provided by a funeral establishment, the statement must be signed by the
14.12 licensed funeral director or mortician planning the arrangements. If the statement is provided
14.13 by any other funeral provider, the statement must be signed by an authorized agent of the
14.14 funeral provider. The statement must list the funeral goods, funeral services, burial site
14.15 goods, or burial site services selected by that consumer and the prices to be paid for each
14.16 item, specifically itemized cash advance items (these prices must be given to the extent then
14.17 known or reasonably ascertainable if the prices are not known or reasonably ascertainable,
14.18 a good faith estimate shall be given and a written statement of the actual charges shall be
14.19 provided before the final bill is paid), and the total cost of goods and services selected. At
14.20 the conclusion of an at-need arrangement, the funeral provider is required to give the
14.21 consumer a copy of the signed itemized written contract that must contain the information
14.22 required in this paragraph.

14.23 (g) Upon receiving actual notice of the death of an individual with whom a funeral
14.24 provider has entered a preneed funeral agreement, the funeral provider must provide a copy
14.25 of all preneed funeral agreement documents to the person who controls final disposition of
14.26 the human remains or to the designee of the person controlling disposition. The person
14.27 controlling final disposition shall be provided with these documents at the time of the
14.28 person's first in-person contact with the funeral provider, if the first contact occurs in person
14.29 at a funeral establishment, alkaline hydrolysis facility, crematory, natural organic reduction
14.30 facility, or other place of business of the funeral provider. If the contact occurs by other
14.31 means or at another location, the documents must be provided within 24 hours of the first
14.32 contact.

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

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

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

15.17 Subd. 3. **Casket for alkaline hydrolysis, natural organic reduction, or cremation**
15.18 **provisions; deceptive acts or practices.** In selling or offering to sell funeral goods or
15.19 funeral services to the public, it is a deceptive act or practice for a funeral provider to
15.20 represent that a casket is required for alkaline hydrolysis ~~or~~ cremations, or, effective July
15.21 1, 2025, natural organic reduction by state or local law or otherwise.

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

15.23 Subd. 9. **Deceptive acts or practices.** In selling or offering to sell funeral goods, funeral
15.24 services, burial site goods, or burial site services to the public, it is a deceptive act or practice
15.25 for a funeral provider to represent that federal, state, or local laws, or particular cemeteries,
15.26 alkaline hydrolysis facilities, ~~or~~ crematories, or, effective July 1, 2025, natural organic
15.27 reduction facilities require the purchase of any funeral goods, funeral services, burial site
15.28 goods, or burial site services when that is not the case.

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

15.30 Subdivision 1. **Casket for alkaline hydrolysis, natural organic reduction, or cremation**
15.31 **provisions; deceptive acts or practices.** In selling or offering to sell funeral goods, funeral
15.32 services, burial site goods, or burial site services to the public, it is a deceptive act or practice

16.1 for a funeral provider to require that a casket be purchased for alkaline hydrolysis ~~or~~,
16.2 cremation, or, effective July 1, 2025, natural organic reduction.

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

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

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

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

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

16.22 Subdivision 1. **Generally.** Every dead human body lying within the state, except
16.23 unclaimed bodies delivered for dissection by the medical examiner, those delivered for
16.24 anatomical study pursuant to section 149A.81, subdivision 2, or lawfully carried through
16.25 the state for the purpose of disposition elsewhere; and the remains of any dead human body
16.26 after dissection or anatomical study, shall be decently buried or entombed in a public or
16.27 private cemetery, alkaline hydrolyzed, ~~or cremated~~, or, effective July 1, 2025, naturally
16.28 reduced within a reasonable time after death. Where final disposition of a body will not be
16.29 accomplished, or, effective July 1, 2025, when natural organic reduction will not be initiated,
16.30 within 72 hours following death or release of the body by a competent authority with
16.31 jurisdiction over the body, the body must be properly embalmed, refrigerated, or packed
16.32 with dry ice. A body may not be kept in refrigeration for a period exceeding six calendar

17.1 days, or packed in dry ice for a period that exceeds four calendar days, from the time of
17.2 death or release of the body from the coroner or medical examiner.

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

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

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

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

17.15 Sec. 30. **[149A.955] NATURAL ORGANIC REDUCTION FACILITIES AND**
17.16 **NATURAL ORGANIC REDUCTION.**

17.17 Subdivision 1. **License required.** This section is effective July 1, 2025. A dead human
17.18 body may only undergo natural organic reduction in this state at a natural organic reduction
17.19 facility licensed by the commissioner of health.

17.20 Subd. 2. **General requirements.** Any building to be used as a natural organic reduction
17.21 facility must comply with all applicable local and state building codes, zoning laws and
17.22 ordinances, and environmental standards. A natural organic reduction facility must have,
17.23 on site, a natural organic reduction system approved by the commissioner and a motorized
17.24 mechanical device for processing naturally reduced remains and must have, in the building,
17.25 a refrigerated holding facility for the retention of dead human bodies awaiting natural organic
17.26 reduction. The holding facility must be secure from access by anyone except the authorized
17.27 personnel of the natural organic reduction facility, preserve the dignity of the remains, and
17.28 protect the health and safety of the natural organic reduction facility personnel.

17.29 Subd. 3. **Aerobic reduction vessel.** A natural organic reduction facility must use as a
17.30 natural organic reduction vessel, a contained reduction vessel that is designed to promote
17.31 aerobic reduction and that minimizes odors.

18.1 Subd. 4. **Unlicensed personnel.** A licensed natural organic reduction facility may employ
18.2 unlicensed personnel, provided that all applicable provisions of this chapter are followed.
18.3 It is the duty of the licensed natural organic reduction facility to provide proper training for
18.4 all unlicensed personnel, and the licensed natural organic reduction facility shall be strictly
18.5 accountable for compliance with this chapter and other applicable state and federal regulations
18.6 regarding occupational and workplace health and safety.

18.7 Subd. 5. **Authorization to naturally reduce.** No natural organic reduction facility shall
18.8 naturally reduce or cause to be naturally reduced any dead human body or identifiable body
18.9 part without receiving written authorization to do so from the person or persons who have
18.10 the legal right to control disposition as described in section 149A.80 or the person's legal
18.11 designee. The written authorization must include:

18.12 (1) the name of the deceased and the date of death of the deceased;

18.13 (2) a statement authorizing the natural organic reduction facility to naturally reduce the
18.14 body;

18.15 (3) the name, address, phone number, relationship to the deceased, and signature of the
18.16 person or persons with the legal right to control final disposition or a legal designee;

18.17 (4) directions for the disposition of any non-naturally reduced materials or items recovered
18.18 from the natural organic reduction vessel;

18.19 (5) acknowledgment that some of the naturally reduced remains will be mechanically
18.20 reduced to a granulated appearance and included in the appropriate containers with the
18.21 naturally reduced remains; and

18.22 (6) directions for the ultimate disposition of the naturally reduced remains.

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

18.25 Subd. 7. **Acceptance of delivery of body.** (a) No dead human body shall be accepted
18.26 for final disposition by natural organic reduction unless the body is:

18.27 (1) wrapped in a container, such as a pouch or shroud, that is impermeable or
18.28 leak-resistant;

18.29 (2) accompanied by a disposition permit issued pursuant to section 149A.93, subdivision
18.30 3, including a photocopy of the complete death record or a signed release authorizing natural
18.31 organic reduction received from a coroner or medical examiner; and

19.1 (3) accompanied by a natural organic reduction authorization that complies with
19.2 subdivision 5.

19.3 (b) A natural organic reduction facility shall refuse to accept delivery of the dead human
19.4 body:

19.5 (1) where there is a known dispute concerning natural organic reduction of the body
19.6 delivered;

19.7 (2) where there is a reasonable basis for questioning any of the representations made on
19.8 the written authorization to naturally reduce; or

19.9 (3) for any other lawful reason.

19.10 (c) When a container, pouch, or shroud containing a dead human body shows evidence
19.11 of leaking bodily fluid, the container, pouch, or shroud and the body must be returned to
19.12 the contracting funeral establishment, or the body must be transferred to a new container,
19.13 pouch, or shroud by a properly licensed individual.

19.14 (d) If a dead human body is delivered to a natural organic reduction facility in a container,
19.15 pouch, or shroud that is not suitable for placement in a natural organic reduction vessel, the
19.16 transfer of the body to the vessel must be performed by a properly licensed individual.

19.17 Subd. 8. **Bodies awaiting natural organic reduction.** A dead human body must be
19.18 placed in the natural organic reduction vessel to initiate the natural reduction process within
19.19 a reasonable time after death, pursuant to section 149A.94, subdivision 1.

19.20 Subd. 9. **Handling of dead human bodies.** All natural organic reduction facility
19.21 employees handling the containers, pouches, or shrouds for dead human bodies shall use
19.22 universal precautions and otherwise exercise all reasonable precautions to minimize the
19.23 risk of transmitting any communicable disease from the body. No dead human body shall
19.24 be removed from the container, pouch, or shroud in which it is delivered to the natural
19.25 organic reduction facility without express written authorization of the person or persons
19.26 with legal right to control the disposition and only by a properly licensed individual. The
19.27 person or persons with the legal right to control the body or that person's noncompensated
19.28 designee may be involved with preparation of the body pursuant to section 149A.01,
19.29 subdivision 3, paragraph (c).

19.30 Subd. 10. **Identification of the body.** All licensed natural organic reduction facilities
19.31 shall develop, implement, and maintain an identification procedure whereby dead human
19.32 bodies can be identified from the time the natural organic reduction facility accepts delivery
19.33 of the body until the naturally reduced remains are released to an authorized party. After

natural organic reduction, an identifying disk, tab, or other permanent label shall be placed within the naturally reduced remains container or containers before the remains are released from the natural organic reduction facility. Each identification disk, tab, or label shall have a number that shall be recorded on all paperwork regarding the decedent. This procedure shall be designed to reasonably ensure that the proper body is naturally reduced and that the remains are returned to the appropriate party. Loss of all or part of the remains or the inability to individually identify the remains is a violation of this subdivision.

Subd. 11. **Natural organic reduction vessel for human remains.** A licensed natural organic reduction facility shall knowingly naturally reduce only dead human bodies or human remains in a natural organic reduction vessel.

Subd. 12. **Natural organic reduction procedures; privacy.** The final disposition of dead human bodies by natural organic reduction shall be done in privacy. Unless there is written authorization from the person with the legal right to control the final disposition, only authorized natural organic reduction facility personnel shall be permitted in the natural organic reduction area while any human body is awaiting placement in a natural organic reduction vessel, being removed from the vessel, or being processed for placement in a naturally reduced remains container. This does not prohibit an in-person laying-in ceremony to honor the deceased and the transition prior to the placement.

Subd. 13. **Natural organic reduction procedures; commingling of bodies prohibited.** Except with the express written permission of the person with the legal right to control the final disposition, no natural organic reduction facility shall naturally reduce more than one dead human body at the same time and in the same natural organic reduction vessel or introduce a second dead human body into same natural organic reduction vessel until reasonable efforts have been employed to remove all fragments of remains from the preceding natural organic reduction. This subdivision does not apply where commingling of human remains during natural organic reduction is otherwise provided by law. The fact that there is incidental and unavoidable residue in the natural organic reduction vessel used in a prior natural organic reduction is not a violation of this subdivision.

Subd. 14. **Natural organic reduction procedures; removal from natural organic reduction vessel.** Upon completion of the natural organic reduction process, reasonable efforts shall be made to remove from the natural organic reduction vessel all the recoverable naturally reduced remains. The naturally reduced remains shall be transported to the processing area, and any non-naturally reducible materials or items shall be separated from the naturally reduced remains and disposed of, in any lawful manner, by the natural organic reduction facility.

21.1 Subd. 15. **Natural organic reduction procedures; commingling of naturally reduced**
21.2 **remains prohibited.** Except with the express written permission of the person with the
21.3 legal right to control the final deposition or otherwise provided by law, no natural organic
21.4 reduction facility shall mechanically process the naturally reduced remains of more than
21.5 one body at a time in the same mechanical processor, or introduce the naturally reduced
21.6 remains of a second body into a mechanical processor until reasonable efforts have been
21.7 employed to remove all fragments of naturally reduced remains already in the processor.
21.8 The fact that there is incidental and unavoidable residue in the mechanical processor is not
21.9 a violation of this subdivision.

21.10 Subd. 16. **Natural organic reduction procedures; processing naturally reduced**
21.11 **remains.** The naturally reduced remains shall be cured appropriately, larger fragments
21.12 having been prepared before curing to accommodate the final reduction. This preparation
21.13 may include the use of a motorized mechanical processor.

21.14 Subd. 17. **Natural organic reduction procedures; use of more than one naturally**
21.15 **reduced remains container.** If the naturally reduced remains are to be separated into two
21.16 or more naturally reduced remains containers according to the directives provided in the
21.17 written authorization for natural organic reduction, all of the containers shall contain duplicate
21.18 identification disks, tabs, or permanent labels and all paperwork regarding the given body
21.19 shall include a notation of the number of and disposition of each container, as provided in
21.20 the written authorization.

21.21 Subd. 18. **Natural organic reduction procedures; disposition of accumulated**
21.22 **residue.** Every natural organic reduction facility shall provide for the removal and disposition
21.23 of any accumulated residue from any natural organic reduction vessel, mechanical processor,
21.24 or other equipment used in natural organic reduction. Disposition of accumulated residue
21.25 shall be by any lawful manner deemed appropriate.

21.26 Subd. 19. **Natural organic reduction procedures; release of naturally reduced**
21.27 **remains.** Following completion of the natural organic reduction process, the inurned naturally
21.28 reduced remains shall be released according to the instructions given on the written
21.29 authorization for natural organic reduction. If the remains are to be shipped, they must be
21.30 securely packaged and transported by a method which has an internal tracing system available
21.31 and which provides a receipt signed by the person accepting delivery. Where there is a
21.32 dispute over release or disposition of the naturally reduced remains, a natural organic
21.33 reduction facility may deposit the naturally reduced remains in accordance with the directives
21.34 of a court of competent jurisdiction pending resolution of the dispute or retain the naturally

22.1 reduced remains until the person with the legal right to control disposition presents
22.2 satisfactory indication that the dispute is resolved.

22.3 Subd. 20. **Unclaimed naturally reduced remains.** If, after 30 calendar days following
22.4 the inurnment, the naturally reduced remains are not claimed or disposed of according to
22.5 the written authorization for natural organic reduction, the natural organic reduction facility
22.6 shall give written notice, by certified mail, to the person with the legal right to control the
22.7 final disposition or a legal designee, that the naturally reduced remains are unclaimed and
22.8 requesting further release directions. Should the naturally reduced remains be unclaimed
22.9 120 calendar days following the mailing of the written notification, the natural organic
22.10 reduction facility may return the remains to the earth respectfully in any lawful manner
22.11 deemed appropriate.

22.12 Subd. 21. **Required records.** Every natural organic reduction facility shall create and
22.13 maintain on its premises or other business location in Minnesota an accurate record of every
22.14 natural organic reduction provided. The record shall include all of the following information
22.15 for each natural organic reduction:

22.16 (1) the name of the person or funeral establishment delivering the body for natural
22.17 organic reduction;

22.18 (2) the name of the deceased and the identification number assigned to the body;

22.19 (3) the date of acceptance of delivery;

22.20 (4) the names of the operator of the natural organic reduction process and mechanical
22.21 processor operator;

22.22 (5) the times and dates that the body was placed in and removed from the natural organic
22.23 reduction vessel;

22.24 (6) the time and date that processing and inurnment of the naturally reduced remains
22.25 was completed;

22.26 (7) the time, date, and manner of release of the naturally reduced remains;

22.27 (8) the name and address of the person who signed the authorization for natural organic
22.28 reduction;

22.29 (9) all supporting documentation, including any transit or disposition permits, a photocopy
22.30 of the death record, and the authorization for natural organic reduction; and

22.31 (10) the type of natural organic reduction vessel.

23.1 Subd. 22. **Retention of records.** Records required under subdivision 21 shall be
23.2 maintained for a period of three calendar years after the release of the naturally reduced
23.3 remains. Following this period and subject to any other laws requiring retention of records,
23.4 the natural organic reduction facility may then place the records in storage or reduce them
23.5 to microfilm, a digital format, or any other method that can produce an accurate reproduction
23.6 of the original record, for retention for a period of ten calendar years from the date of release
23.7 of the naturally reduced remains. At the end of this period and subject to any other laws
23.8 requiring retention of records, the natural organic reduction facility may destroy the records
23.9 by shredding, incineration, or any other manner that protects the privacy of the individuals
23.10 identified.