

SENATE

STATE OF MINNESOTA

NINETY-FOURTH SESSION

S.F. No. 2819

(SENATE AUTHORS: RARICK, Koran, Kupec, Fateh and Clark)		
DATE	D-PG	OFFICIAL STATUS
03/20/2025	931	Introduction and first reading Referred to Commerce and Consumer Protection
03/24/2025	1030	Authors added Koran; Kupec; Fateh; Clark
03/27/2025	1067a	Comm report: To pass as amended and re-refer to State and Local Government
04/01/2025	1153a	Comm report: To pass as amended and re-refer to Health and Human Services See First Special Session, HF2

1.1

A bill for an act

1.2

relating to health; establishing requirements for green burials; amending Minnesota

1.3

Statutes 2024, section 149A.02, by adding a subdivision; proposing coding for

1.4

new law in Minnesota Statutes, chapters 306; 307.

1.5

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

1.6

Section 1. Minnesota Statutes 2024, section 149A.02, is amended by adding a subdivision

1.7

to read:

1.8

Subd. 42. **Green burial.** "Green burial" means a method of burial that emphasizes

1.9

environmental sustainability without interfering with natural decomposition and:

1.10

(1) the body is not embalmed;

1.11

(2) a biodegradable casket or shroud is used; and

1.12

(3) no vault or outer burial container is employed for a casket or shroud.

1.13

Sec. 2. [306.991] GREEN BURIALS IN PUBLIC CEMETERIES.

1.14

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have

1.15

the meanings given.

1.16

(b) "Drainage system" has the meaning given in section 103E.005, subdivision 12.

1.17

(c) "Green burial" has the meaning given in section 149A.02, subdivision 42.

1.18

(d) "Natural watercourse" has the meaning given in section 103G.005, subdivision 13.

1.19

(e) "Ordinary high-water level" has the meaning given in section 103G.005, subdivision

1.20

14.

2.1 (f) "Water supply well" has the meaning given in section 103I.005, subdivision 20a.

2.2 Subd. 2. **Green burial requirements.** A municipality, town, or other cemetery governed  
2.3 by this chapter that allows for green burials must comply with the requirements of this  
2.4 section.

2.5 Subd. 3. **Green burial plot locations.** (a) Green burial plots must have a designated  
2.6 location within the cemetery. Green burial plot locations must:

2.7 (1) be set back 50 feet from property lines;

2.8 (2) maintain at least three and one-half feet clearance above the ordinary high-water  
2.9 level;

2.10 (3) not be in standing water;

2.11 (4) not be within zone 1 groundwater source protection zones around a spring, water  
2.12 supply well, or a shaft drilled into the ground meant to extract water; and

2.13 (5) not be within flood-prone areas.

2.14 (b) Green burial plot locations must be a certain distance from water sources. Green  
2.15 burial plot locations must be:

2.16 (1) 50 feet from water supply wells and shafts drilled into the ground used to extract  
2.17 water;

2.18 (2) 100 feet from other springs or watercourses; and

2.19 (3) 33 feet from drainage systems.

2.20 Subd. 4. **Burial depth.** (a) Green burial plots must be at a minimum depth of three and  
2.21 one-half feet from the base of the grave to the soil horizon.

2.22 (b) Green burials must have three and one-half feet of cover.

2.23 Subd. 5. **Burial density.** Green burial plots must be a maximum of 300 burials per acre  
2.24 over a 100 year period.

2.25 Sec. 3. **[306.992] SCATTERING OF HYDROLYZED OR CREMATED REMAINS.**

2.26 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
2.27 the meanings given.

2.28 (b) "Cremated remains" has the meaning given in section 149A.02, subdivision 7.

2.29 (c) "Hydrolyzed remains" has the meaning given in section 149A.02, subdivision 24a.

3.1 Subd. 2. **Designated location.** A municipality, town, or other cemetery governed by  
3.2 this chapter that allows for scattering of hydrolyzed remains or cremated remains must  
3.3 designate a location within the cemetery for the scattering of hydrolyzed remains or cremated  
3.4 remains.

3.5 Sec. 4. **[307.14] GREEN BURIALS IN PRIVATE CEMETERIES.**

3.6 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have  
3.7 the meanings given.

3.8 (b) "Drainage system" has the meaning given in section 103E.005, subdivision 12.

3.9 (c) "Green burial" has the meaning given in section 149A.02, subdivision 42.

3.10 (d) "Natural watercourse" has the meaning given in section 103G.005, subdivision 13.

3.11 (e) "Ordinary high-water level" has the meaning given in section 103G.005, subdivision  
3.12 14.

3.13 (f) "Water supply well" has the meaning given in section 103I.005, subdivision 20a.

3.14 Subd. 2. **Green burial requirements.** A person who owns a cemetery governed by this  
3.15 chapter that allows for green burials must comply with the requirements of this section.

3.16 Subd. 3. **Green burial plot locations.** (a) Green burial plots must have a designated  
3.17 location within the cemetery. Green burial plot locations must:

3.18 (1) be set back 50 feet from property lines;

3.19 (2) maintain at least three and one-half feet clearance above the ordinary high-water  
3.20 level;

3.21 (3) not be in standing water;

3.22 (4) not be within zone 1 groundwater source protection zones around a spring, water  
3.23 supply well, or a shaft drilled into the ground meant to extract water; and

3.24 (5) not be within flood-prone areas.

3.25 (b) Green burial plot locations must be a certain distance from water sources. Green  
3.26 burial plot locations must be:

3.27 (1) 50 feet from water supply wells and shafts drilled into the ground used to extract  
3.28 water;

3.29 (2) 100 feet from other springs or watercourses; and

3.30 (3) 33 feet from drainage systems.

4.1 Subd. 4. **Burial depth.** (a) Green burial plots must be at a minimum depth of three and  
4.2 one-half feet from the base of the grave to the soil horizon.

4.3 (b) Green burials must have three and one-half feet of cover.

4.4 Subd. 5. **Burial density.** Green burial plots must be a maximum of 300 burials per acre  
4.5 over a 100 year period.

4.6 Sec. 5. **[307.15] SCATTERING OF HYDROLYZED OR CREMATED REMAINS.**

4.7 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
4.8 the meanings given.

4.9 (b) "Cremated remains" has the meaning given in section 149A.02, subdivision 7.

4.10 (c) "Hydrolyzed remains" has the meaning given in section 149A.02, subdivision 24a.

4.11 Subd. 2. **Designated location.** A person who owns a cemetery governed by this chapter  
4.12 that allows for scattering of hydrolyzed remains or cremated remains must designate a  
4.13 location within the cemetery for the scattering of hydrolyzed or cremated remains.