



General Assembly

January Session, 2023

Raised Bill No. 6485

LCO No. 3018



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING NATURAL ORGANIC REDUCTION AND GREEN BURIALS.

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

1 Section 1. (*Effective from passage*) Not later than January 1, 2024, the
2 Commissioner of Energy and Environmental Protection shall submit a
3 report to the joint standing committee of the General Assembly having
4 cognizance of matters relating to the environment, in accordance with
5 section 11-4a of the general statutes, on recommendations for the award
6 of open space grant funds to organizations that utilize property for
7 green burials in accordance with the Green Burial Council standards.
8 Such report shall include, but not be limited to, any recommendations
9 for legislation to revise any such open space programs to allow for such
10 an award and any recommendations for requisite standards for
11 certification of such properties as green burial locations.

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

14 (A) "Cemetery corporation" means any corporation formed for the
15 disposal or burial of deceased human beings, by cremation, natural

16 organic reduction or in a grave, mausoleum, vault, columbarium or
17 other receptacle but does not include a family cemetery corporation or
18 a private cemetery corporation;

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

26 (C) "Natural organic reduction permit" means the permit required by
27 the Commissioner of Public Health for disposition of the remains of a
28 deceased human being by natural organic reduction;

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

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

34 (2) Any cemetery corporation that operates a natural organic
35 reduction facility shall have the following duties and obligations: (A)
36 Each natural organic reduction facility shall be maintained in a clean,
37 orderly and sanitary manner, with adequate ventilation and shall have
38 a temporary storage area available to store the remains of deceased
39 persons pending disposition by natural organic reduction, the interior
40 of which shall not be accessible to the general public; (B) entrances and
41 windows of any natural organic reduction facility shall be maintained
42 at all times in order to secure privacy, including the tight closure of
43 doors, the covering of windows and the provision of locked and secured
44 entrances when not actively attended by authorized natural reduction
45 facility personnel; (C) the natural organic reduction process shall be
46 conducted in privacy and no person except authorized persons of such
47 facility shall be admitted into the reduction area, holding facility or the

48 temporary storage facility while the remains of deceased human beings
49 are being naturally organically reduced; and (D) authorized persons, on
50 admittance, shall comply with all rules of the cemetery corporation and
51 not infringe upon the privacy of the remains of any deceased person.
52 For the purposes of this section, "authorized persons" includes (i)
53 licensed, registered funeral directors, registered residents and enrolled
54 students of mortuary science; (ii) officers and trustees of the cemetery
55 corporation; (iii) authorized employees and authorized agents of the
56 cemetery corporation; (iv) public officers acting in the discharge of their
57 duties; (v) authorized instructors of funeral directing schools; (vi)
58 licensed physicians or nurses; and (vii) members of the immediate
59 family of the deceased person and authorized agents and designated
60 representatives of such immediate family members;

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

75 (c) The natural organic reduction process shall not commence until
76 reasonable confirmation of the identity of the deceased person is made.
77 Such proof may be in the form of, but not limited to, a signed affidavit
78 from a licensed physician, a member of the immediate family of the
79 deceased person, an authorizing agent or a court order from the
80 Superior Court. The natural organic reduction facility shall ensure that
81 the identification established by the natural organic reduction permit

82 accompanies the remains of the deceased person during the natural
83 organic reduction process and until the identity of the deceased person
84 is accurately and legibly inscribed on the container in which the remains
85 of the deceased person are temporarily placed.

86 (d) (1) The remains of a deceased person shall be delivered to the
87 natural organic reduction facility in an alternative container or in
88 external wrappings sufficient to contain the remains and that is
89 designed to fully decompose in the natural reduction process. Such
90 alternative container or external wrappings shall not be opened after
91 delivery of the deceased person's body to the natural organic reduction
92 facility unless there exists good cause to: (A) Confirm the identity of the
93 deceased person, (B) ensure that no material is enclosed that might
94 cause injury to employees of the natural organic reduction facility or
95 damage to property of the natural organic reduction facility, or (C) upon
96 reasonable demand by members of the immediate family or the
97 authorized agent of such immediate family.

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

113 (e) Whenever the remains of a deceased person are to be delivered to
114 a natural organic reduction facility in a casket that is not to be naturally

115 organically reduced with the deceased person, written notice of such
116 fact shall be made by the person responsible for the funeral
117 arrangements of the deceased person to the natural organic reduction
118 facility. Such written notice shall indicate that prior to natural organic
119 reduction, the remains of the deceased person are to be transferred to an
120 alternative container. The natural organic reduction facility shall retain
121 such written notice in the permanent records of such facility.

122 (f) (1) The remains of a deceased person shall not be removed from
123 the casket, alternative container or external wrappings in which they
124 were delivered to the natural organic reduction facility unless a signed
125 authorization is provided by the person responsible for making funeral
126 arrangements for such deceased person or by a public officer
127 discharging his or her statutory duty. Such signed authorization shall
128 be retained in the permanent records of such natural organic reduction
129 facility.

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

138 (g) No person shall commingle or place the naturally organically
139 reduced remains of more than one deceased person in a reduction
140 container at any one time except upon provision of a signed
141 authorization provided by the person responsible for making the
142 funeral arrangements for the deceased person and the signed approval
143 of the natural organic reduction facility. Such authorizations and
144 approvals shall be retained in the permanent records of the natural
145 organic reduction facility.

146 (h) (1) Upon the completion of the natural organic reduction of the

147 remains of a deceased person, the interior of the natural organic
148 reduction container shall be thoroughly swept or otherwise cleaned so
149 as to render the natural organic reduction container reasonably free of
150 all matter. The contents of such reduction container shall be placed into
151 an individual container and not commingled with other remains. The
152 natural organic reduction permit shall be attached to the individual
153 container in preparation for final processing.

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

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

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

170 (i) (1) Upon completion of the natural organic reduction process, the
171 cemetery corporation shall notify the person responsible for making the
172 funeral arrangements for such deceased person that the natural organic
173 reduction process is complete and that the remains are prepared to be
174 disposed of in accordance with the provisions of this subsection. The
175 person responsible for making the funeral arrangements for such
176 deceased person shall be responsible for the final disposition of such
177 remains. Such remains shall be disposed of through the scattering of
178 such remains in a designated scattering garden or area in a cemetery, or

179 by prior authorization by the cemetery corporation, by placing such
180 remains in a grave, crypt or niche, or retention of such remains,
181 pursuant to prior authorization, by the person responsible for making
182 the funeral arrangements for such deceased person. Such remains shall
183 not be recoverable once they are scattered or interred.

184 (2) If, after a period of one hundred twenty days from the date of the
185 completion of the natural organic reduction process, the person
186 responsible for the funeral arrangements for the deceased person has
187 not instructed the cemetery corporation to arrange for the final
188 disposition of the remains or claimed the remains, the cemetery
189 corporation may dispose of such remains in any manner prescribed by
190 this subsection. The cemetery corporation shall keep a permanent
191 record identifying the site of final disposition for any such remains. The
192 person responsible for the funeral arrangements for such deceased
193 person shall be responsible for reimbursing the cemetery corporation
194 for all reasonable expenses incurred for the disposing of such remains
195 in accordance with the provisions of this subsection. After the
196 disposition of such remains, the cemetery corporation shall be
197 discharged from any legal obligation or liability concerning the remains.

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

202 (j) Any employee of a natural organic reduction facility who is
203 responsible for conducting the daily operations of the natural organic
204 reduction process shall be certified by an organization approved by the
205 Commissioner of Public Health. Proof of such certification shall be
206 posted in the natural organic reduction facility and available for
207 inspection at any time. Any new employee of a natural organic
208 reduction facility required to be certified pursuant to this subsection
209 shall be certified not later than one year after commencement of such
210 employment. Any employee of a natural organic reduction facility
211 required to be certified pursuant to this subsection and employed by

212 such facility prior to the effective date of this section shall be certified
213 not later than one year after such effective date. Such certification shall
214 be completed every five years from the date of such certification.

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

218 (A) A list of the directors, employees and certificate holders of the
219 cemetery corporation;

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

222 (C) A business plan for the operation of the natural organic reduction
223 facility that includes, but is not limited to, the number of expected
224 natural organic reductions per year, the number of natural organic
225 reduction units to be used, all manufacturing, capital costs and
226 financing, the anticipated number of employees, the types of services
227 provided and pricing thereof;

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

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

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

235 (2) The commissioner shall not approve any natural organic
236 reduction facility that does not have all other approvals or permits. The
237 commissioner may request from such applicant any additional
238 information or documentation and technical assistance deemed
239 necessary to review such information. Such information shall not be
240 deemed complete until any requested additional information has been
241 received by the commissioner. The commissioner shall approve or deny

242 the proposed natural organic reduction facility not later than ninety
243 days after completion of the submission of all information by written
244 notice. If the commissioner denies any application for such a facility,
245 such written notice shall state the reasons for such denial.

246 (l) The Commissioner of Public Health shall adopt regulations, in
247 accordance with the provisions of chapter 54 of the general statutes, to
248 implement the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>October 1, 2023</i>	New section

Statement of Purpose:

To provide authorization for the use of certain open space as sights for green burials and to authorize the use of natural organic reduction in the state.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]