

Date of Hearing: April 20, 2021

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Evan Low, Chair

AB 501 (Cristina Garcia) – As Amended April 6, 2021

SUBJECT: Reduction of human remains and the disposition of reduced human remains.

SUMMARY: Defines reduction as the process of transforming a human body into soil using the natural decomposition process, accelerated with the addition of organic materials. Establishes the regulatory process for reduction facilities and reduction equipment under the Cemetery and Funeral Bureau and the Department of Public Health, and outlines management and training requirements for licensed reduction facility employees. States the requirements for integrating reduced human remains into the soil. Imposes the same requirements on reduced remains as for cremated and hydrolyzed remains, as specified. Sets an implementation date of July 1, 2022.

EXISTING LAW:

- 1) Establishes the Cemetery and Funeral Bureau (Bureau) under the jurisdiction of the Department of Consumer Affairs to license and regulate funeral establishments, funeral directors, embalmers, cemeteries, cemetery managers, cemetery brokers, cemetery salesperson, crematories, crematory managers, cremated remains disposers, and licensed hydrolysis facilities, as specified. (Business and Professions Code (BPC) Section 7600 et seq.)
- 2) Defines “hydrolysis” as the process of reducing the body of a deceased person to its essential organic components and bone fragments by alkaline hydrolysis and subsequent processing of the remains after removal from a hydrolysis chamber. “Alkaline hydrolysis” is a process using heat or heat and applied pressure, water, and potassium hydroxide or sodium hydroxide in a hydrolysis chamber. (Health and Safety Code (HSC) Section 7010.1)
- 3) Defines a “cremated remains disposer” as a person who, for his or her own account or for another, disposes of, or offers to dispose of, cremated human remains or hydrolyzed human remains by scattering over or on land or sea. (BPC Section 7611.9)
- 4) Authorizes the Bureau to inspect the premises in which the business of a funeral establishment, cemetery, or crematory is conducted, where embalming is practiced or, or where human remains are stored. (BPC Section 7607)
- 5) Authorizes the Bureau to inspect the books, records, and premises of any hydrolysis facility, as specified, and no prior notification of the inspection is required to be given to the licensee, and requires the Bureau to conduct at least one unannounced inspection annually. (BPC Section 7653.35 and Section 7653.36)
- 6) Prohibits a person from disposing or offering to dispose of any cremated human remains or hydrolyzed remains unless registered as a cremated remains disposer by the Bureau, as specified. (BPC Section 7672)
- 7) States that a cremated remains disposer who scatters any cremated human remains or hydrolyzed human remains without specific written instructions from the person having the

right to control the disposition of the remains or who scatters any remains in a manner not in accordance with those instructions shall be subject to disciplinary action. (BPC Section 7672.4)

- 8) Requires every cremated remains disposer to do the following:
 - a) Dispose of cremated or hydrolyzed remains within 60 days of the receipt of the remains, unless a written reason for the delay is presented to the person with the right to disposition of the remains.
 - b) Provide the Bureau with the address and telephone number of any storage facility being used by a registrant to store cremated or hydrolyzed remains.
 - c) Store and responsibly maintain cremated or hydrolyzed remains in a place free from exposure to the elements. (BPC Section 7672.6(a))
- 9) Requires each cremated remains disposer to file and maintain an annual report, as prescribed by the Bureau, containing the names of the deceased persons whose cremated remains or hydrolyzed human remains were disposed of, the dates of receipt of the cremated remains or hydrolyzed human remains, the names and addresses of the persons who authorized disposal of those remains, the dates and locations of disposal of those remains, and the means and manner of disposition. (BPC Section 7672.7)
- 10) States that any cremated remains disposer who stores cremated remains or hydrolyzed remains in a reckless manner that results in loss of the remains or inability to individually identify the remains is guilty of a public offense punishable by imprisonment and/or a fine. (BPC Section 7673.1)
- 11) Requires a funeral establishment to obtain from the person with the right to control the disposition of human remains a signed declaration, as prescribed by the Bureau, designating specific instructions with respect to the disposition of cremated remains or hydrolyzed human remains. (BPC Section 7685.2(b))
- 12) Requires a funeral establishment entering into a contract to furnish cremation or hydrolysis services to provide to the purchaser of cremation or hydrolysis services a notice informing that a person having the right to control disposition of cremated remains or hydrolyzed human remains may remove the remains in a durable container from the place of cremation, hydrolysis, or interment, and that if cremated remains container or hydrolyzed human remains container cannot accommodate all cremated remains or hydrolyzed human remains of the deceased, the crematory or hydrolysis facility shall provide a larger cremated remains container or hydrolyzed human remains container at no additional cost, or place the excess in a second container that cannot easily come apart from the first. (BPC Section 7685.2(c))
- 13) Defines "inurnment" as means placing cremated remains or hydrolyzed human remains in a cremated remains container or hydrolyzed human remains container suitable for placement, burial, or shipment. (Health and Safety Code (HSC) Section 7011(a))
- 14) States that no cremated or hydrolyzed remains shall be removed from the place of cremation or hydrolysis nor any charge for the cremation or hydrolysis, unless the cremated remains or hydrolyzed human remains have been processed so that they are suitable for inurnment

within a cremated remains container, hydrolyzed human remains container, or an urn, as specified. (HSC Section 7054.1)

15) Prohibits the following:

- a) Removing or possessing dental gold or silver, jewelry, or mementos from human remains without specific written permission of the person or persons having the right to control those remains. (HSC Section 7051.5)
- b) Willfully mutilating, disinterring, removing from the place of interment, or committing an act of sexual penetration on, or has sexual contact with remains known to be human, without authority of law. (HSC Section 7052)

16) Defines “disposition” as the internment of human remains within California, or the shipment outside of California, for lawful internment, or scattering elsewhere, including release of remains. (HSC Section 7025)

17) States that if a certificate of death is properly executed and complete, the local registrar or births and deaths shall issue a permit for the disposition of remains that specifies the following:

- a) The address of the location where the cremated remains or hydrolyzed human remains will be kept, as long as the remains are kept within public sensibilities, applicable laws, and reasonable assurances that the disposition will be carried out in accordance with the prescribed conditions and will not constitute a private or public nuisance.
- b) The address or description of the place where remains shall be buried or scattered. (HSC Section 103055(a)).

18) States that no permit for the disposition of the body shall be issued by the local registrar whenever the death occurred from a disease declared by the state department to be infectious, contagious, or communicable and dangerous to the public health, except under those conditions as may be prescribed by the state department and local health officers. (HSC Section 103055(b))

THIS BILL:

1. Provides the following definitions and clarifications:

- a. “Reduction facility” means a structure, room, or other space in a building or real property where natural, organic reduction of a human body occurs.
- b. “Reduction” means the process of transforming a human body into soil using the natural decomposition process, accelerated with the addition of organic materials through the following steps: (1) the body of a deceased person is mixed together with organic materials and warm air and is periodically turned, eventually resulting in the body’s reduction to a soil material; (2) large tanks, containers, or similar vessels hold human remains together with straw, wood chips, or other natural materials for four to six weeks until the process is complete; (3) The processing of the remains after removal from the reduction chamber.

- c. "Reduction chamber" means the enclosed space within which individual human remains are reduced and any other attached, nonenclosed, mechanical components that are necessary for the safe and proper functioning of the equipment. A reduction chamber shall meet or exceed the requirements set by the State Department of Public Health (CDPH) and the federal Centers for Disease Control and Prevention for destruction of human pathogens.
 - a. "Reduced human remains" means the remains of a human body that have been reduced to soil through a process of reduction. "Reduced human remains" does not include foreign materials, pacemakers, or prostheses.
 - b. "Reduced human remains container" means a receptacle into which human remains are placed after reduction.
 - c. "Integrate into the soil" means the authorized addition and mixing of reduced human remains with existing soil in a defined area within a dedicated cemetery, conservation area, or other area in the state where integration is permitted. The reduced human remains are intended to act as a soil amendment.
 - d. "Conservation area" means an area of land that is protected and cannot be built on, that is only used for the conservation of nature.
 - e. "Topsoil" means the outermost layer of soil.
- 2) Authorizes a corporation, partnership, or natural person to operate, establish, or maintain a reduction facility with a valid reduction facility license issued by the Bureau.
 - 3) Places reduction facilities under the regulatory jurisdiction of the Bureau.
 - 4) Requires an applicant for a reduction facility license to do the following:
 - a. Submit an application in writing on a form prescribed by the Bureau and filed at the principal office of the Bureau, along with any fees specified by the Bureau.
 - b. Prove compliance with all applicable laws, rules, regulations, ordinances, and orders until the Bureau determines that the public interest, human health, and environmental quality will be served by the applicant;
 - c. Present to the Bureau any state or locally required permits for business operations, including, but not limited to, any permits required by the local public health department or other state or locally required permits.
 - 5) Directs the Bureau to do the following:
 - a. Adopt rules and regulations prescribing standards for applicants for reduction facility licenses. In reviewing an application for a reduction facility license, the bureau may consider acts of the applicant, including acts of the incorporators, officers, directors, and stockholders of the applicant, that constitute grounds for the denial of a reduction facility license.

- b. Establish a fee required to obtain or renew a reduction facility license in amounts that cumulatively do not exceed the reasonable costs of administering the licensing program.
 - c. Inspect the books, records, and premises of licensed reduction facilities during its regular office hours or the hours the facility is in operation. In making these inspections, the Bureau shall have access to all books and records, the facility, the reduction chamber, and any storage area for human remains before and after the reduction. Prior notification of the inspection is not required to be given to the licensee.
 - d. Conduct a minimum of one unannounced inspection of each reduction facility.
 - e. Prepare and deliver to each registered cremated remains disposer a booklet that includes, but is not limited to, the following information: details about the registration and renewal requirements for cremated remains disposers; requirements for obtaining state permits to dispose of cremated, reduced, or hydrolyzed human remains; state storage requirements; statutory duties; and other applicable state laws.
 - f. Ensure that reduction facility licenses are only granted to applicants that will employ a reduction chamber approved by the CDPH.
 - g. Deny renewal of a reduction facility license if no proof of annual maintenance of all reduction chambers in use by the facility is provided.
- 6) Requires every licensee operating a reduction facility to pay an additional charge to be fixed by the Bureau at no more than \$8.50 per reduction made in the preceding quarter.
- 7) Directs CDPH to do the following:
- a. Adopt rules and regulations prescribing the standards for reduction chambers to preserve the public health and safety and to ensure the destruction of pathogenic micro-organisms.
 - b. Establish an application fee for evaluation of a reduction chamber, not to exceed the reasonable regulatory costs of the evaluation, including time that CDPH spends on processing the application.
- 8) States that a reduction chamber manufacturer may apply with CDPH for approval of a reduction chamber for sale and use in the state.
- 9) Requires a licensed reduction facility to comply with the following requirements:
- a. Make its facility, reduction chambers, storage areas for human remains before and after reduction, as well all books and records available for inspection by the Bureau during regular office hours or the hours the facility is in operations.

- b. Conduct annual maintenance of all reduction chambers in use by the facility. The Bureau shall not renew a reduction facility license without proof of annual maintenance of all reduction chambers in use by the facility;
 - c. Require a reduction facility to report any change in ownership to the Bureau, as defined. Maintain on its premises, or other business location within the state, an accurate record of all reductions performed, including all of the following information: (1) Name of the referring funeral director, if any; (2) Name of the deceased; (3) Date of the reduction (4) Disposition of the reduced human remains; (5) Time and date that the body was inserted into the reduction chamber; (6) Time and date that the body was removed from the reduction chamber; (7) Time and date that final processing of the reduced human remains was complete; (8) Name and address of the authorizing agent; (9) Identification number assigned to the deceased, as specified; (10) A photocopy of the disposition permit filed in connection with the disposition; (11) Any documentation of compliance with appropriate environmental and safety laws; (12) Records of the maintenance performed on the reduction chamber. Such information shall be maintained for at least 10 years after the reduction is performed and shall be subject to inspection by the Bureau;
- 10) States that failure to comply with an inspection shall be grounds for the suspension or revocation of a reduction facility license or other disciplinary action.
- 11) A licensed reduction facility shall not conduct reduction of human remains unless all of the following requirements are met:
- a. The facility is operated under the supervision of a manager qualified in accordance with rules operated by the bureau. A licensed crematory manager may be designated as a reduction facility manager with appropriate certification upon demonstrating an understanding of the applicable laws, as determined by the Bureau.
 - b. Reduction chambers have been approved by CDPH.
 - c. Reduction of remains begins not more than 24 hours after delivery of the remains to the licensee, unless the remains have been preserved in the interim by refrigeration.
 - d. The licensee has a written contract with the person or persons entitled to custody of the remains clearly stating the location, manner, and time of disposition of the remains, in which the person or persons entitled to custody of the remains agree to pay the licensee's regular fee for reduction, disposition, and other services rendered, and any other contractual provisions required by the Bureau.
 - e. The contract shall include an estimate of the volume of the reduced human remains that will be received and shall offer the following options:
 - i. The person entitled to custody of the remains may choose to receive all of the reduced human remains in one or more reduced human remains containers, the number of containers to be specified by the person.

- ii. The person entitled to custody of the remains may choose to receive part of the reduced human remains in one or more reduced human remains containers, the amount received to be specified by the person and the balance of the remains to be integrated into the soil by the reduction facility in a conservation area.
 - iii. The person entitled to custody of the remains may choose to receive none of the reduced human remains and to have the reduction facility integrate the remains into the soil in a conservation area. If the person entitled to custody of the remains chooses not to receive all of the reduced human remains, the reduction facility shall notify the person of the location of the conservation area into which the reduced human remains will be integrated.
- f. The licensee has a contractual relationship with a licensed cemetery authority or a conservation area for final disposition of reduced human remains by burial, entombment, or inurnment, or integration into the soil, of remains that are not called for or accepted within 90 days of date of death. The facility may integrate into the soil any reduced human remains that are not called for or accepted into the custody within 90 days of date of death.
- 12) States that it is a misdemeanor for a person, firm, or corporation to reduce human remains, or to engage in the disposition of reduced human remains, without a valid, unexpired reduction facility license.
- 13) Requires a licensed reduction facility to maintain an identification system allowing identification of each deceased person beginning from the time the licensed reduction facility accepts delivery of human remains until the point at which it releases the reduced human remains to a third party.
- 14) Requires a licensed reduction facility to place, after reduction, an identifying disk, tab, or other permanent label with the cremated remains container before the reduced human remains are released from the licensed reduction facility. Each identification disk, tab, or label must contain the license number of the reduction facility and shall have a unique number that shall be recorded on all documents regarding the decedent and in the reduction log. Each licensed reduction facility shall maintain a written procedure for identification of remains.
- 15) Permits a licensed reduction facility that fails to produce a written procedure for identification of remains upon request by the Bureau, to have 15 working days from the time of the request to produce an identification procedure for review by the Bureau. The license of the reduction facility shall be suspended if no identification procedure is produced for review after 15 working days have elapsed.
- 16) Requires the reduction facility, within two hours of taking custody of a deceased that has not been embalmed, to refrigerate the body at a temperature not greater than 50 degrees Fahrenheit, unless the reduction process will begin within 24 hours of the time that the facility took custody.

- 17) Requires the reduction facility licensee, or its authorized representatives, to provide instruction to all facility personnel involved in the reduction process. This instruction shall lead to a demonstrated knowledge on the part of an employee regarding identification procedures used during reduction, operation of the reduction chamber and related equipment, and all laws relevant to the handling of a body and reduced human remains. This instruction shall be outlined in a written plan maintained by the reduction facility licensee for inspection and comment by an inspector of the Bureau.
- 18) Prohibits a licensed reduction facility employee from operating a reduction chamber or related equipment until the employee has demonstrated to the certified manager of a licensed reduction facility or authorized representative of the licensee that the employee understands the procedures required to ensure that health and safety conditions are maintained at the reduction facility and that reduced human remains are not commingled other than for acceptable residue. The reduction facility licensee shall maintain a record to document that an employee has received such training.
- 19) Allows a reduction facility that fails to produce a written employee instruction plan or record of employee training upon inspection by the Bureau, to have 15 working days from the time of the request to produce a plan or training record for review by the Bureau. The license of a reduction facility shall be suspended if no plan or training record is produced for review after 15 working days have elapsed.
- 20) Prohibits a person, except with the express written permission of the person entitled to control the disposition of the remains, to do any of the following:
 - a. Reduce the remains of more than one person at the same time and in the same reduction chamber, or introduce the remains of a second person into the reduction chamber until the reduction of preceding remains has been terminated and reasonable efforts have been employed to remove all fragments of preceding remains.
 - b. Dispose of reduced human remains in a manner or location that the remains are commingled with those of another person. This does not apply to the disposition of accumulated residue removed from equipment used in the reduction of human remains.
 - c. Place reduced human remains or the remains of more than one person in the same container, except for the following:
 - i. Members of the same family may be placed in a common contained designed for the reduced remains of more than one person;
 - ii. Reduced human remains may be placed in a container that has been previously designated, at the time of sale, as being intended for the remains of more than one person;
 - iii. Disposal of the residue removed from equipment used in the reduction of human remains.

- 21) Prohibits a reduction facility from making or enforcing rules requiring that human remains be placed in a casket before reduction. Prohibits a reduction facility from refusing to accept human remains for reduction for the reason that they are not in a casket.
- 22) Imposes the same requirements for reduced human remains as cremated human remains or hydrolyzed remains, for registered cremated remains disposers, funeral directors, and funeral establishments, as specified.
- 23) Requires every registered cremated remains disposer who integrates reduced human remains into the soil to post a copy of the address of the reduced human remains storage area at their place of business.
- 24) Authorizes reduced human remains to be integrated into the topsoil under the following circumstances:
 - a. A reduction facility may integrate reduced human remains into the topsoil of a conservation area if the person having the right to control the disposition of those remains has agreed, in writing, to that disposition.
 - b. The reduced human remains may be integrated into the soil in an area where no local prohibition exists, provided that the reduced human remains are not distinguishable to the public, are not in a container, and that the person who has control over disposition of the reduced human remains has obtained written permission of the property owner or governing agency to integrate into soil on the property. A person who integrates into the soil reduced remains shall obtain a permit from the local registrar of births and deaths that includes a description of the final place of disposition sufficient to identify the place of the disposition of the remains, in addition to a signed acknowledgment that the permit gives no right of unrestricted access to property not owned by the person for the purpose of disposing of the remain.
- 25) Requires a local registrar of births and deaths to issue a permit for disposition of reduced remains that includes a description of the final place of disposition. The permit must have a signed acknowledgment from the person applying that the permit does not give unrestricted access to the property where the remains will be disposed.
- 26) Requires a person receiving a permit for human remains disposition to sign the permit, endorse upon it the date of final disposition and, within 10 days, return the first copy of the permit so endorsed to the local registrar of the district in which the disposition took place. The third copy of the permit shall be returned to the office of issuance.
- 27) Specifies that a state or local agency may adopt an ordinance, regulation, or policy, as appropriate, authorizing or specifically prohibiting, the integration into the soil of reduced remains, on lands under the agency's jurisdiction.

FISCAL EFFECT: Unknown. This bill is keyed fiscal by Legislative Counsel.

COMMENTS:

Purpose. This bill is author-sponsored. According to the author: “AB 501 will provide an additional option for California residents that is more environmentally friendly and gives them another choice for burial. With climate change and sea-level rise as very real threats to our environment, this is an alternative method of final disposition that will not contribute emissions into our atmosphere. For each individual who chooses NOR over conventional burial or cremation, the process saves the equivalent of one metric ton of carbon from entering the environment.

As cemeteries fill up and people look for more sustainable death care practices, Recompose hopes to one day offer its service to the California public, so that friends and family can use the soil to plant a tree or memorial garden honoring loved ones. Trees are important carbon breaks for the environment. They are the best filters for air quality and if more people participate in organic reduction and tree planting, we can help with California’s carbon footprint.”

Background.

Natural Organic Reduction. Natural Organic Reduction (NOR) is a method that transforms human remains into soil using the natural decomposition process, accelerated by the addition of natural materials. Generally, NOR occurs in a contained, aerated steel vessel, where the body is covered with organic material including wood chips, alfalfa, and straw.

Throughout approximately 30 days, microbes that naturally occur in the air and on the organic materials decompose the human body at an accelerated pace. The chamber undergoes mixing at several intervals to continue the aerobic process and ensure that all the entire body – including bones and teeth – is fully broken down and transformed. At the end of the process, non-organic materials, such as metal surgical or dental implants, are removed. The transformation results in soil – defined as “reduced human remains” under this bill – that is dark brown in appearance, and considered safe for disposal. Generally, the preferred method of disposal is integrating the remains as a soil amendment for trees or plants. To date, Washington is the first, and currently only state, to approve natural organic reduction as an alternative to burying or cremating human remains.

Available research on the safety of NOR. While research on human natural organic reduction is limited, a wide range of academic studies are available on animal reduction, which has been used to dispose of deceased animals in agriculture, meat processing and distribution, or environmental management. With the exception of rare cases, the safety of animal composting has become well documented: according to the Department of Crop and Soil Sciences at the Cornell Waste Management Institute, “Composting provides an alternative to traditional carcass disposal as it can be less expensive, is self-sufficient and is biosecure. The temperatures achieved through the composting process may eliminate or greatly reduce pathogens, hindering the spread of disease. Research continues to demonstrate effective destruction of nearly all livestock diseases of concern. Properly composted material is environmentally safe and a useful soil amendment.”

In 2018, Recompose, an organization offering NOR services in the state of Washington, sponsored a research project with the Washington State University Soil Science Department to demonstrate that safety and efficacy of the NOR process. Using six human research subjects, the study concluded that the “process of recomposition has been shown to effectively and quickly biologically convert human remains. Final material was obtained that was unrecognizable

visually, chemically, or microbiologically as human remains.” Similar to animal composting, human NOR can reach temperatures high enough to destroy almost all harmful pathogens, and transform the body, wood chips, and straw into a final material which is safe for humans and plant life.

Recompose notes that there are two disease types that disqualify a person from being eligible for natural organic reduction: Ebola and prion diseases. Prion diseases are a family of rare neurodegenerative disorders that affect both humans and animals, and existing scientific research has not yet proven that prions are broken down during the NOR process. In human burial or cremation, whenever the death occurred from a disease declared by the state department to be infectious, contagious, or communicable and dangerous to the public health, no permit for the disposition of the body can be issued by the local registrar, except under those conditions as may be prescribed by the state department and local health officers.

Regulatory Function of the Bureau. The Bureau licenses and regulates over 13,000 licensees across various license categories, including funeral establishments, funeral directors, embalmers, cemeteries, cemetery managers, cemetery brokers, cemetery salesperson, crematories, crematory managers, cremated remains disposers. The Bureau does not license or regulate cemeteries operated by religious organizations, cities, counties, cemetery districts, the military, Native American tribal organizations, or other groups. The Bureau has the oversight responsibility for both fiduciary and operational activities of its licensing population and has the statutory authority to enforce the licensing and practice acts in the BPC along with jurisdiction over specified provisions of the HSC dealing specifically with human remains, cemetery, and crematory provisions.

The Bureau may also issue licenses for hydrolysis facilities, in which human remains are hydrolyzed. Approved by the legislature 2017 as another alternative to cremation, alkaline hydrolysis is a process by which human remains are reduced to bone fragments with the utilization of water and a blended alkaline solution, combined with heat and pressure.

This bill aims to model the licensure and regulation of crematories and hydrolysis facilities, and authorizes cremated remains disposers to also dispose of human remains that were reduced through natural organic reduction. Similarly, existing law regarding the proper reporting, handling, and disposal of cremated or hydrolyzed remains are applied to reduced remains. To provide an adequate implementation window, the bill’s provisions become effective July 1, 2022

Licensure and regulation of reduction facilities. This bill creates a new license type for reduction facilities, modeled after the licensure process for crematory licenses and hydrolysis facility licenses. The bill enumerates the requirements to apply for such a license, including submitting a written application, pay the applicable fees, demonstrate compliance with all applicable laws, and obtaining any relevant permits. Reduction chambers – the vessels that would be used to conduct natural organic reduction – would be approved by the State Department of Public Health to ensure the destruction of any pathogenic micro-organisms during the reduction process.

Under this bill, any licensed reduction facility must be operated under the supervision of a manager. Alternatively, a licensed crematory manager may be designated as the reduction facility manager, upon determination by the Bureau that such person has an understanding of the applicable laws. The bill also specifies that all employees of a licensed reduction facility receive appropriate training and instruction to ensure appropriate handling of remains, knowledge of the reduction process, and regulatory compliance. Similarly to crematories or hydrolysis facilities,

reduction facilities would be required to maintain accurate records of all reductions performed, and maintain an identification system allowing for the proper identification of human remains throughout the entire reduction process.

This bill places licensed reduction facilities under the jurisdiction of the Bureau. Accordingly, these facilities and associated records would be subject to inspection by the Bureau, with any violation subject to disciplinary action.

Fee and revenue structure. The bill authorizes the Bureau to set a licensing fee, at an amount that would not exceed the reasonable cost of administering the bill's provisions. In addition, the bill authorizes the Bureau to assess a similar regulatory charge, not to exceed \$8.50, for each reduction made by a licensed reduction facility. This regulatory charge mirrors existing practice across the industry, as current law specifies an \$8.50 regulatory charge for each burial, entombment, inurnment, cremation, or hydrolysis. Revenue generating from licensing fees and regulatory assessments are deposited into the Cemetery and Funeral Fund for the administration of the licensing and enforcement activities of the Bureau.

Disposal of reduced human remains. To preserve vital records and information about deceased individuals, existing law outlines specific rules for the disposition of cremated remains and hydrolyzed remains, including obtaining relevant local permits and registering the location at which the remains were scattered. This bill aligns the requirements for soil integration of reduced human remains with existing requirements for the scattering of cremated or hydrolyzed ashes. Specifically, reduced remains would be integrated in an area where no local prohibition exists, would not be distinguishable to the public, and written permission would be obtained from the property owner or governing agency to integrate into the soil on the property. In addition, a person who integrates into the soil reduced remains must obtain a permit from the local registrar of births and deaths, and sign an acknowledgment that trespass and nuisance laws apply to the disposition of reduced remains and that the permit gives no right of unrestricted access to property not owned by the person for the purpose of disposing of the remains.

Current Related Legislation.

None.

Prior Related Legislation.

AB 967 (Gloria, Chapter 846, Statutes of 2017) – Requires the bureau to license and regulate hydrolysis facilities, as defined, and hydrolysis facility managers, and would enact requirements applicable to hydrolysis facilities substantially similar to those applicable to crematoria.

AB 2592 (Garcia, 2020): Reduction of human remains and the discussion of reduced human remains. This bill contained similar provisions as AB 501, and was held in the Senate Committee on Appropriations.

ARGUMENTS IN SUPPORT:

Recompose writes in support: “Natural organic reduction is safe, sustainable, and informed by nature. This process would provide California’s 39 million residents with a respectful option that offers significant savings in carbon emissions and land usage over conventional burial or

cremation. It also empowers California consumers with an additional end-of-life choice and creates business opportunities for funeral homes to expand their offerings.”

ARGUMENTS IN OPPOSITION:

None on file.

REGISTERED SUPPORT:

Recompose
252 individuals

REGISTERED OPPOSITION:

None on file.

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