
**SENATE COMMITTEE ON
BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT**
Senator Richard Roth, Chair
2021 - 2022 Regular

Bill No:	AB 501	Hearing Date:	June 21, 2021
Author:	Cristina Garcia		
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Consultant:	Elissa Silva		

Subject: Reduction of human remains and the disposition of reduced human remains

NOTE: *Double-referral to Health Committee, Second.*

SUMMARY: Establishes a new regulatory process for a Licensed Reductions Facility (LRF) under the jurisdiction of the Cemetery and Funeral Bureau (Bureau) for the disposition of human remains, requires training for LRF employees, defines “reduced human remains”, imposes the same requirements for reduced human remains as cremated and hydrolyzed remains, and requires the Bureau and the Department of Public Health (DPH) to implement specified regulations by July 1, 2023.

Existing law:

- 1) Establishes the Bureau within the Department of Consumer Affairs (DCA) for the licensure and regulation of cemetery brokers, cemetery salespersons, cemetery managers, cemeteries, crematories, crematory managers, cremated remains disposers, and licensed hydrolysis facilities. (Business and Professions Code (BPC) § 7600 *et. seq.*)
- 2) 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, where human remains are stored. (BPC § 7607)
- 3) Defines a “cremated remains disposer” as a person who for their 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 and sea. (BPC § 7611.9)
- 4) 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 §§ 7653.35, 7653.36)
- 5) Prohibits a person from disposing or offering to dispose of human remains unless registered as a cremated or hydrolyzed human remains disposer by the Bureau. (BPC § 7672)
- 6) Subjects a cremated remains disposer to disciplinary action if they scatter any cremated 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. (BPC § 7672.4)

- 7) Requires every cremated remains disposer to dispose of cremated remains within 60 days of the receipt of those remains, unless a written reason for the delay is presented to the person with the right to disposition of the remains and provide the Bureau with the address and telephone number of any storage facility being used by a registrant to store cremated remains. (BPC § 7672.6(a))
- 8) Requires an applicant for a hydrolysis facility license to prove compliance with all applicable laws, rules, regulations, ordinances, and orders and the Bureau will not issue a hydrolysis facility license until the Bureau is satisfied that the public interest, human health, and environmental quality will be served by the applicant. (BPC § 7639.06(a))
- 9) Requires the Bureau to adopt and amend rules and regulations prescribing standards for applicants for hydrolysis facility licensees, as specified. (BPC 7639.08(a))
- 10) Authorizes hydrolysis chamber manufacturers to apply to the DPH for approval of a hydrolysis chamber upon finding that the hydrolysis chamber causes the destruction of pathogenic microorganisms, as specified. (BPC § 7639.08(b))
- 11) Prohibits cremated or hydrolyzed human remains from being 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. (Health and Safety Code (HSC) § 7054.1)
- 12) Requires that prior to the disposition of cremated hydrolyzed human remains, every licensee or registrant to do all of the following:
 - a) Remove the cremated remains or hydrolyzed human remains from the place of cremation or hydrolysis in a durable container;
 - b) Keep the cremated remains or hydrolyzed human remains in a durable container;
 - c) Store the cremated remains or hydrolyzed human remains in a place free from exposure to the elements; and,
 - d) Responsibly maintain the cremated remains or hydrolyzed human remains. (HSC § 7054.6)
- 13) States that unless express written permission of the person entitled to control the disposition of the remains, no person is permitted to:
 - a) Cremate the remains of more than one person at the same time in the same cremation chamber, or introduce the remains of a second person into a cremation chamber until incineration of any preceding remains has been

terminated and reasonable efforts have been employed to remove all fragments of the preceding remains, as specified;

- b) Dispose of or scatter cremated remains in a manner or in a location that the remains are commingled with those of another person, as specified;
- c) Place cremated or un-cremated remains of more than one person in the same container or the same interment space, except under certain circumstances.
(HSC § 7054.7)

This bill:

- 1) Authorizes a corporation, partnership, or natural person to operate, establish, or maintain a LRF with a valid license issued by the Bureau.
- 2) Requires an applicant for a LRF to prove compliance with all applicable laws, rules, regulations, ordinances and orders and prohibits the Bureau from issuing a license until it is satisfied that public interest, human health, and environmental quality is served by the applicant., Requires an applicant for a license to present the Bureau any state or locally required permits required by the local public health department or other state or other state or locally required permits.
- 3) Requires an application for a LRF to be made on a form approved by the Bureau, as specified.
- 4) Requires any change in ownership of a LRF to be reported to the Bureau, and a transfer in a single transaction or related transactions of more than 50% of the equitable interest in a LRF constitutes a change of ownership.
- 5) Requires when a change in ownership in a LRF occurs, the existing reduction facility license lapses and the new owner must obtain a new license from the Bureau, as specified.
- 6) Requires the Bureau to adopt, and amend as necessary, rules and regulations prescribing standards for applicants for LRF licenses.
- 7) Authorizes the Bureau to consider acts of an applicant, including those of its incorporators, officers, directors, and stockholders of the applicants in reviewing an application.
- 8) Requires the DPH to adopt, amend as necessary, the rules and regulations prescribing the standards for LRFs to preserve the public health and safety and to ensure the destruction of pathogenic micro-organisms, and permits a LFR to apply to the DPH for approval of a reduction chamber.
- 9) Requires the DPH to charge an application fee for approval of a reduction chamber to cover the reasonable regulatory costs, as specified.

- 10) Requires the Bureau to issue a LRF to only those applicants that will employ a reduction chamber approved by the DPH.
- 11) Requires a LRF to ensure or conduct annual maintenance of all reduction chambers in use by the facility.
- 12) Prohibits the Bureau from renewing a LRF without proof of annual maintenance of all reduction chambers in use by the facility.
- 13) Prohibits a LRF from conducting the reduction of human remains unless all of the following conditions are met:
 - a) The facility is operated under the supervision of a manager qualified with rules operated by the Bureau, and a licensed crematory manager may not be designated as a reduction facility manager with appropriate certification demonstrating an understanding of the applicable provision of the HSC;
 - b) 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, and specifies the provisions required in the contract;
 - c) Reduction of the remains begins not more than 24 hours after delivery of the remains to the license, unless the remains have been preserved in the interim by refrigeration; and,
 - d) The licensee has either a contractual relationship with a licensed cemetery authority for final disposition of reduced human remains by burial, entombment, or inurnment and a contractual relationship with, or ownership of, a conservation area where the reduction facility may lawfully integrate the reduced remains into the soil, as authorized, and prohibits the facility from integrating human remains into the soil that are not called for or accepted by the person or persons entitled to the custody and control of the disposition of those remains within 90 days of date of death.
- 14) Makes it a misdemeanor for a person, firm, or corporation to reduce human remains, or to dispose of reduced human remains, without a valid unexpired reduction facility license, as specified.
- 15) Subjects a LRF to discipline from the Bureau.
- 16) Requires the Bureau to establish the fee to obtain or renew a reduction facility license.
- 17) Requires the Bureau to set the fees in amounts that cumulatively do not exceed the reasonable of administering the licensing program, and the fee for individual reductions may not exceed \$8.50 per reduction, and requires every licensee operating a LRF to pay an additional charge per reduction made during the

preceding quarter as set by the Bureau.

- 18) Defines a “reduction facility” as a structure, room, or other space in a building or real property where natural, organic reduction of a human body occurs.
- 19) Defines “reduced human remains” to mean the remains of a human body that have been reduced to soil through a process of reduction, and does not include foreign materials, pacemakers, or prostheses.
- 20) Defines “reduction” to mean the process of transforming a human body into a soil using the natural decomposition process, accelerated with the addition of organic materials through the following steps:
 - a) 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.
 - b) 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.
 - c) The processing of the remains after removal from the reduction chamber.
- 21) Defines “reduction chamber” to mean the enclosed space within which individual human remains are reduced and any other attached, non-enclosed, mechanical components that are necessary for the safe and proper functioning of the equipment, and requires a reduction chamber to meet or exceed the requirements set by the DPH and the federal Centers for Disease Control and Prevention for destruction of human pathogens, as specified.
- 22) Defines a “reduced human remains container” to mean a receptacle into which human remains are placed after reduction.
- 23) Adds to the definition of “processing” for purposes of reduced human remains, to mean the removal of foreign objects, as specified, and necessary preparation for the reduced human remains to be integrated into the soil.
- 24) Defines “integrate into the soil” to mean 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, and soil remains are intended to act as a “soil amendment”.
- 25) Authorizes reduced human remains to be disposed of by integration into topsoil or integration into the topsoil of a conservation area if the person having the right to control the disposition of those remains has agreed to it in writing; however, integration into soil below topsoil is not permitted.
- 26) Defines “top soil” to mean the outermost layer of soil.

- 27) Defines “conservation area” to mean an area of land that is protected and cannot be built on, that is only used for conservation in nature.
- 28) Prohibits a person, unless expressly authorized, by the person entitled to control the disposition of human remains from doing 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 made to remove fragments of preceding remains, as specified;
 - b) Dispose of human remains in a manner or location that the remains are commingled with another person, as specified; or,
 - c) Place reduced human remains or the remains of more than one person in the same reduced human remains container, except as follows: members of the same family, placed in a container previously designated at the time of sale as being intended for more than one person, disposal of the residue in the reduction chamber, or a written authorization by the person entitled to control the disposition of human remains into the soil of a conservation area.
- 29) Prohibits a LRF from making or enforcing rules requiring that human remains be placed in a casket prior to reduction, refusing to except remains not in a casket, as specified.
- 30) Requires a LRF to maintain on its premises or other business location within the state, an accurate record of all reductions performed, including the following:
 - a) Name of referring funeral director, if any;
 - b) Name of the deceased and date of reduction;
 - c) Disposition of the reduced human remains, including split disposition where a portion of the remains are returned to the person entitled to control the disposition of the remains and a portion integrated into the soil in a conservation area, as specified;
 - d) Time and date body was inserted into and removed from the LRF;
 - e) Time and date that final processing of the reduced remains was complete;
 - f) Name and address of the authorizing agent;
 - g) Identification number assigned to the deceased, as specified;
 - h) A photocopy of the disposition permit filed in connection with the disposition; and,

- i) Any documentation of compliance with appropriate environmental and safety laws.
- 31) Requires a LRF to maintain on its premises, or other business location within the state, records of the maintenance performed on the reduction chamber.
- 32) Requires LRFs to maintain documentation required in 30) and 31) above for at least 10 years after the reduction is performed, and the documentation is subject to inspection by the Bureau.
- 33) Requires a LRF to maintain an identification system allowing identification of each decedent beginning from the time the reduction facility accepts delivery of human remains until the point at which it releases the reduced human remains to a third party, and after the reduction an identifying disk, tab, or other permanent label, is to be placed with the reduced human remains container or containers before the reduced human remains are released from the LRF.
- 34) Requires each identification tab, label or disk to have a unique identification number, as specified.
- 35) Provides 15 days from the date of a failure to provide the Bureau with the written procedure for identification of remains to produce the procedure before licensure suspension, as specified.
- 36) Requires a LRF to refrigerate a body within two hours of taking custody if the body was not embalmed, as specified.
- 37) Requires a LRF, or its authorized representatives to provide instruction to all facility personnel involved in the reduction process, which must 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. The instruction must be outlined in a written plan maintained by the licensee for inspection and comment by the Bureau.
- 38) Prohibits an employee from operating a reduction chamber or related equipment until the employee has demonstrated to the certified manager of the LRF or authorized representative that the employee understands the procedures required to ensure that health and safety conditions are maintained and that reduced human remains are not comingled, as specified.
- 39) Provides 15 days from the date of a failure to provide the Bureau with the written employee instruction plan or record of employee training to produce a plan or training record before licensure suspension, as specified.
- 40) 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.
- 41) Imposes similar penalty violations for removal or reduced remains, as specified.

- 42) Imposes the same requirements for the integration of reduced remains into the soil as the scattering of cremated or hydrolyzed remains, as specified.
- 43) Incorporates the reduction of human remains into the requirements for the certificate of death, as specified
- 44) Adds reduced human remains to the requirements for a permit for disposition of remains, as specified.
- 45) Requires a cremated remains disposer to document and retail all permits and private authorizations required for all reduced remains that were integrated into soil outside of a cemetery.
- 46) Includes reduced remains in the definition of “human remains”.
- 47) Adds placing reduced human remains in a reduced human remains container suitable for placement, burial, or shipment to the definition of “inurnment”.
- 48) Adds integration into soil to the definition of “disposition” of human remains.
- 49) Delays the implementation of this bill until July 1, 2022.
- 50) Makes other technical and clarifying changes.

FISCAL EFFECT: This bill is keyed fiscal by Legislative Counsel. According to the Assembly Committee on Appropriations, the bill will result in minor one-time costs to the Bureau to promulgate regulations and establish licensure standards, potential one-time costs of \$140,000 to the Department of Consumer Affairs for information technology to add an additional licensing category, costs to CDPH of \$200,000 for three years to promulgate regulations and establish an evaluation program for reduction chambers and \$200,000 for a contract to seek subject matter expertise, and minor ongoing costs to the Bureau of to issue licenses and renewals and to conduct annual site visits and enforcement activities, offset by minor fees authorized in the bill to be established by the Bureau to cover administrative costs, as well as per-reduction fees paid to the Bureau (Cemetery and Funeral Fund).

COMMENTS:

1. **Purpose.** The author is the sponsor of this bill. 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.”
2. **Background.**

Regulatory Function of the Bureau. The Bureau regulates more than 13,000 licensees in 13 different licensing categories. 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's licensing population includes cemetery brokers, cemetery managers, cemeteries, funeral directors, funeral establishments, embalmers and apprentice embalmers, crematory managers, crematories, hydrolysis facilities, and cremated remains disposers. This bill aims to model the licensure and regulation of reduction facilities based on the newly authorized provisions established for hydrolysis facilities. Unlike some of the more traditional burial methods, the reducing of human remains is a relatively new option for individuals to consider as part of death care.

Reduction of Human Remains. The reduction of human remains is different from a "green burial" as the human remains are reduced in a reduction chamber approved by the DPH, not placed directly into the ground. It appears that currently there is only one company, Recompose, which offers the service and builds the chamber necessary for the reduction of human remains. The reduction of human remains is also known as natural organic reduction. This type disposition of human remains is a method that transforms human remains into soil using natural decomposition method, which is accelerated by the addition of natural materials. According to information provided on the Recompose website, the reduction process occurs in a contained, aerated steel vessel, where the body is covered with organic material including wood chips, alfalfa, and straw. The process can take approximately 30 days where the reduction will transform into a soil. The company notes that this type of reduction can result in about a cubic yard of soil per reduction. This bill would allow that *soil*, or the *reduced remains* to be returned to the environment. As currently drafted, only a licensed cremated remains disposer would be authorized to disperse those reduced human remains consistent with what is required for cremated remains and hydrolyzed remains. A cubic yard of soil is likely a larger amount for integrating into a soil amendment than scattering cremated or hydrolyzed remains. Additionally, this bill requires that a reduction facility licensee have a contractual relationship with a licensed cemetery authority for disposition of the reduced remains that are not called for or accepted.

Recompose additionally notes on its internet website, that there are disease types, which make an individual not eligible for natural organic reduction. Those include prion diseases and a highly contagious disease such as Ebola. 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.

Types of Burial and Regulatory Efforts. AB 967 (Gloria, Chapter 846, Statutes of 2017) now requires the Bureau to license and regulate hydrolysis facilities and hydrolysis facilities managers beginning July 1, 2020. Licensed hydrolysis facilities are required to use a hydrolysis chamber approved by DPH to hydrolyze human remains as an alternative method of disposition of human remains.

The Bureau collaborated with DPH, and subsequently drafted regulatory language to implement the requirements for hydrolysis facilities to operate. Consistent with the requirements for a hydrolysis facility as provided in AB 967, and the approval of hydrolysis facility equipment, this bill authorizes the DPH to approve the reduction chamber prior to its use, and the provisions of this bill authorize DPH to adopt and amend the rules prescribing the standards for reduction chambers to preserve public health. As currently drafted, this bill authorizes a reduction chamber manufacturer to apply to the DPH for approval. The necessity of the DPH-approval would be to ensure the destruction of any pathogenic microorganisms during the reduction process.

Licensure and regulation of reduction facilities. This bill creates a licensure program for reduction facilities, which is similar to the licensure process for crematory licenses and hydrolysis facility licenses. The provisions of this bill layout the requirements necessary to apply for such a reduction facility license, including submitting a written application to the Bureau, payment of the applicable fees, demonstration of compliance with all applicable laws, and obtain any relevant local permits, along with a DPH-approved reduction chamber. This bill also delays the implementation of this program by two years, until July 1, 2023, to provide the Bureau and DPH with time to adopt and implement regulations related to the regulatory process for reduction chambers. Similarly, there was a delayed implementation date to allow for the development of regulations for hydrolysis facilities.

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. This bill also requires 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 as current law specifies the same \$8.50 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.

In 2018, Recompose sponsored a research project with the Washington State University Soil Science Department to demonstrate that safety and efficacy of the 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."

This bill aims to model the licensure and regulation of crematories and hydrolysis facilities, and authorizes cremated remains disposers to dispose of reduced human remains. Similarly, existing law regarding the proper reporting, handling, and disposal of cremated or hydrolyzed remains will be applied to reduced human remains.

Other States. In 2019, Washington State became the first state to legalize the reduction or composting of human remains. In addition to California, authority to

utilize the natural organic process, through the reducing of human remains, is also being considered in Oregon and Colorado legislatures.

3. **Prior Related Legislation.** AB 2592 (Garcia of 2020) Would have established a new regulatory process for LRF, required specified training for LRF employees, and imposed the same requirements on reduced remains as for cremated and hydrolyzed remains, and required the Bureau and the DPH to implement regulations by July 1, 2023. (Status: *This bill was held in the Senate Committee on Appropriations.*)

AB 967 (Gloria, Chapter, Statutes of 2017) established the regulatory process for hydrolysis facilities under the Bureau beginning July 1, 2020; imposes the same requirements on hydrolyzed remains as for cremated remains; specifies training standards for hydrolysis facility employees; and, specifies the requirements for disposal of hydrolysate.

AB 764 (Linder of 2014) would have established a pilot program that authorized the Bureau to offer a limited crematory license to no more than five alkaline hydrolysis facilities as specified, and repealed that authority on January 1, 2020. (Status: *This bill was held in the Senate Committee on Environmental Quality.*)

AB 1615 (Miller of 2012) would have authorized the Bureau to license and regulate hydrolysis facilities and hydrolysis facility managers. (Status: *This bill was held in the Senate Committee on Appropriations.*)

AB 1777 (Ma, Chapter 79, Statutes of 2012), authorizes cremated remains to be transferred from a durable container into a scattering urn, as defined, no more than seven days before scattering the cremated remains at sea from a boat.

SB 1197 (Calderon of 2012), would have provided that a crematory regulated by the Cemetery and Funeral Bureau, in addition to the cremation of human remains, may also cremate an American flag or flags, in accordance with federal law, as specified, and specifies that the burning of the flag or flags occurs within one week before or after Memorial Day, Flag Day, or Independence Day. (Status: *This bill was subsequently amended to address a different subject.*)

AB 374 (Hill, Chapter 364, Statutes of 2012), allows a bond to be posted in lieu of an unqualified audit report if there are timeliness issues on a transfer of ownership of a funeral establishment due to the death of an owner, estate issues or other legal problems.

AB 1225 (Committee on Veterans Affairs, Chapter 774, Statutes of 2012), prohibits the sale, trade or transfer of veterans' commemorative property out of cemeteries except under certain conditions.

AB 4 (Miller of 2011) would have authorized the Bureau to license and regulate hydrolysis facilities and hydrolysis facility managers, as specified. (Status: *This bill was held in the Assembly Committee on Appropriations.*)

AB 2283 (Miller of 2010) would have required the Bureau to adopt regulations for the safe operation of alkaline hydrolysis chambers by July 1, 2011. (Status: *This bill was held in the Senate Committee on Environmental Quality.*)

4. **Arguments in Support.** Recompose writes in support and notes, “We are proud to lend our expertise in this matter to our support of AB-501 in California. There is significant environmental benefit to adding natural organic reduction to California’s list of end-of-life options. California’s rate of cremation was over 60% in 2018. If every California resident chose natural reduction as their after-death preference, we would save nearly 2.5 million metric tons of CO₂ in just 10 years. That’s carbon-savings equivalent of the energy required to power 225,000 homes for one year or the letting 65 million seedlings grow into trees over 10 years.”

The Northern California Recycling Association writes in support and notes, “As cemeteries begin to fill up and land is less available for burial plots, Californians are looking for more sustainable death care practices. AB 501 would create an additional option for death care practice that is more environmentally friendly and sustainable. If every California resident chose natural reduction as their after-death preference, we would save nearly 2.5 metric tons of CO₂ in just 10 years.”

5. **Arguments in Opposition.** The California Catholic Conference writes in opposition and notes, “...Dispersing the remains in public locations, without an advisory to members of the public, risks people treading over human remains without their knowledge while repeated dispersions in the same area are tantamount to a mass grave. And the “savings” in CO₂ emissions offered in support of the process is easily offset by alternative means of remembrance. A simple burial or cremation, for instance, maintains the dignity of the deceased while avoiding the potential of the public not being aware of the presence of human remains or an inadvertent mass gravesite.”

6. **Policy Considerations.**

Soil Amounts. According to information provided on the Recompose website, the reduction of human remains results in approximately 1 cubic yard of soil. How will the remains be transported from the facility where the reduction occurred, to the place where the remains will be integrated into the soil? Who will determine the safety standards for a reduced remains container? What are the requirements for holding reduced remains or storing at a reduction facility? The author may wish to clarify this process.

Other Studies. To date, staff is aware of only one study related to the reduction of human remains related to efficacy. It would be beneficial if additional studies were conducted to ensure that reduced human remains which are integrated in the soil is not health and safety risk to the public or the environment.

What is a “Soil Amendment?” The current version of this bill specifies that reduced human remains be intended to act as a soil amendment; however, the provisions of the bill do not define what a soil amendment is for purposes of interacting with reduced remains. The author may wish to define soil amendment for purposes of this bill.

DPH Approval. As currently drafted, this bill permits a reduction chamber manufacturer to apply to the DPH for approval of a reduction facility, making this an optional approval for a manufacturer. However, this bill only authorizes the Bureau to issue a license to applicants that employ a reduction chamber approved by the DPH, so why is the approval from DPH permissive? The author may wish to clarify that a manufacturer must apply for approval from the DPH to ensure there is no confusion in licensing or regulatory requirements to operate a LRF.

7. **Suggested Amendment.** As currently drafted, this bill provides a short-window for the Bureau and the DPH to develop regulations for a completely new regulatory program. The current six-month implementation delay provided in this bill is likely not a sufficient amount of time for the Bureau to develop the necessary regulations required for a new licensure program. As such, the author should consider delaying the implementation by one year, to July 1, 2023.

SUPPORT AND OPPOSITION:

Support:

Northern California Recycling Association
Recompose

Opposition:

California Catholic Conference

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