

1 **Funeral Services Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

House Sponsor:

LONG TITLE**General Description:**

This bill addresses natural organic reduction.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ allows a funeral service establishment to offer natural organic reduction;
- ▶ requires that a funeral service director meet certain requirements if the funeral service director offers natural organic reduction;
- ▶ grants immunity to a funeral service establishment that relies on a natural organic reduction authorization form in carrying out natural organic reduction;
- ▶ updates a funeral service establishment's recordkeeping requirements;
- ▶ provides requirements for accepting remains for natural organic reduction;
- ▶ limits liability for a funeral service establishment providing natural organic reduction;
- ▶ provides the requirements for authorizing natural organic reduction;
- ▶ describes the procedure for natural organic reduction;
- ▶ provides the requirements for the final disposition of remains from the natural organic reduction process;
- ▶ categorizes the use of remains from natural organic reduction to grow food as unlawful;

and

- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

26B-8-201, as last amended by Laws of Utah 2024, Chapter 240

31 **58-9-102**, as last amended by Laws of Utah 2020, Chapter 354
32 **58-9-302**, as last amended by Laws of Utah 2024, Chapter 137
33 **58-9-501**, as last amended by Laws of Utah 2007, Chapter 144
34 **58-9-503**, as last amended by Laws of Utah 2007, Chapter 144
35 **58-9-601**, as last amended by Laws of Utah 2018, Chapter 326
36 **58-9-606**, as last amended by Laws of Utah 2018, Chapter 326
37 **58-9-613**, as last amended by Laws of Utah 2023, Chapter 111
38 **58-9-614**, as enacted by Laws of Utah 2018, Chapter 326
39 **58-9-615**, as enacted by Laws of Utah 2018, Chapter 326
40 **58-9-618**, as enacted by Laws of Utah 2018, Chapter 326

41 ENACTS:

42 **58-9-613.5**, Utah Code Annotated 1953
43 **58-9-620**, Utah Code Annotated 1953
44 **58-9-621**, Utah Code Annotated 1953
45 **58-9-622**, Utah Code Annotated 1953

47 *Be it enacted by the Legislature of the state of Utah:*

48 Section 1. Section **26B-8-201** is amended to read:

49 **26B-8-201 . Definitions.**

50 As used in this part:

51 (1) "Dead body" means the same as that term is defined in Section 26B-8-101.

52 (2)(a) "Death by violence" means death that resulted by the decedent's exposure to
53 physical, mechanical, or chemical forces.

54 (b) "Death by violence" includes death that appears to have been due to[-] :

55 (i) homicide[-] ;

56 (ii) death that occurred during or in an attempt to commit rape, mayhem, kidnapping,
57 robbery, burglary, housebreaking, extortion, or blackmail accompanied by threats
58 of violence[-] ;

59 (iii) assault with a dangerous weapon[-] ;

60 (iv) assault with intent to commit any offense punishable by imprisonment for more
61 than one year[-] ;

62 (v) arson punishable by imprisonment for more than one year[,] ; or[-]

63 (vi) any attempt to commit any of the [foregoing] offenses described in Subsections
64 (2)(b)(i) through (v).

65 (3) "Health care professional" means any of the following while acting in a professional
66 capacity:
67 (a) a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title
68 58, Chapter 68, Utah Osteopathic Medical Practice Act;
69 (b) a physician assistant licensed under Title 58, Chapter 70a, Utah Physician Assistant
70 Act; or
71 (c) an advance practice registered nurse licensed under Subsection 58-31b-301(2)(e).
72 [(3)] (4) "Immediate relative" means an individual's spouse, child, parent, sibling,
73 grandparent, or grandchild.
74 [(4) "Health care professional" means any of the following while acting in a professional
75 capacity:]
76 [(a) a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title
77 58, Chapter 68, Utah Osteopathic Medical Practice Act;]
78 [(b) a physician assistant licensed under Title 58, Chapter 70a, Utah Physician Assistant
79 Act; or]
80 [(c) an advance practice registered nurse licensed under Subsection 58-31b-301(2)(e).]
81 (5) "Medical examiner" means the state medical examiner appointed [pursuant to] in
82 accordance with Section 26B-8-202 or a deputy appointed by the medical examiner.
83 (6) "Medical examiner record" means:
84 (a) all information that the medical examiner obtains regarding a decedent;
85 (b) reports that the medical examiner makes regarding a decedent; and
86 (c) all administrative forms and correspondence related to a decedent's case.
87 (7) "Regional pathologist" means an American Board of Pathology certified pathologist
88 licensed to practice medicine and surgery in the state, appointed by the medical
89 examiner [pursuant to] in accordance with Subsection 26B-8-202(3).
90 (8) "Sudden death while in apparent good health" means apparently instantaneous death
91 without obvious natural cause, death during or following an unexplained syncope or
92 coma, or death during an acute or unexplained rapidly fatal illness.
93 (9) "Sudden unexpected infant death" means the death of a child who was thought to be in
94 good health or whose terminal illness appeared to be so mild that the possibility of a
95 fatal outcome was not anticipated.
96 (10) "Suicide" means death caused by an intentional and voluntary act of an individual who
97 understands the physical nature of the act and intends by such act to accomplish
98 self-destruction.

99 (11) "Unattended death" means a death that occurs more than 365 days after the day on
100 which a health care professional examined or treated the deceased individual for any
101 purpose, including writing a prescription.

102 (12)(a) "Unavailable for postmortem investigation" means that a dead body is:

103 (i) transported out of state;

104 (ii) buried at sea;

105 (iii) cremated;

106 (iv) processed by alkaline hydrolysis;[~~or~~]

107 (v) processed by natural organic reduction; or

108 [~~(v)~~] (vi) otherwise made unavailable to the medical examiner for postmortem
109 investigation or autopsy.

110 (b) "Unavailable for postmortem investigation" does not include embalming or burial of
111 a dead body [~~pursuant to~~] in accordance with the requirements of law.

112 (13) "Within the scope of the decedent's employment" means all acts reasonably necessary
113 or incident to the performance of work, including matters of personal convenience and
114 comfort not in conflict with specific instructions.

115 Section 2. Section **58-9-102** is amended to read:

116 **58-9-102 . Definitions.**

117 ~~[In addition to the definitions in Section 58-1-102, as]~~ As used in this chapter:

118 (1)(a) "Alkaline hydrolysis" means a water-based dissolution process using alkaline
119 chemicals, heat, and sometimes agitation or pressure that reduces human remains to a
120 liquid and to dry bone residue.

121 (b) [~~and~~] "Alkaline hydrolysis" includes the disposal of the liquid and the processing and
122 pulverization of the dry bone residue.

123 (2) "Alkaline hydrolysis chamber" means the enclosed space within which the alkaline
124 hydrolysis process takes place and that is used exclusively for alkaline hydrolysis of
125 human remains.

126 (3) "Alkaline hydrolysis container" means a container:

127 (a) in which human remains are transported to a funeral service establishment and
128 placed in an alkaline hydrolysis chamber for [~~resomation~~] the alkaline hydrolysis
129 process; and

130 (b) that meets substantially all of the following standards:

131 (i) able to be closed in order to provide a complete covering for the human remains;
132 (ii) resistant to leakage or spillage;

133 (iii) rigid enough for handling with ease; and
134 (iv) able to provide protection for the health, safety, and personal integrity of
135 crematory personnel.

136 (4) "Authorizing agent" means a person legally entitled to authorize the cremation, natural
137 organic reduction, or the alkaline hydrolysis process of human remains.

138 (5) "Beneficiary" means the individual who, at the time of the individual's death, is to
139 receive the benefit of the property and services purchased under a preneed funeral
140 arrangement.

141 (6) "Board" means the Board of Funeral Service created in Section 58-9-201.

142 (7) "Body part" means:
143 (a) a limb or other portion of the anatomy that is removed from [a person] an individual
144 or human remains for medical purposes during treatment, surgery, biopsy, autopsy, or
145 medical research; or
146 (b) a human body or any portion of a body that has been donated to science for medical
147 research purposes.

148 (8) "Buyer" means a person [who] that purchases a preneed funeral arrangement.

149 (9) "Calcination" means a process in which a dead human body is reduced by intense heat
150 to a residue that is not as substantive as the residue that follows cremation.

151 (10) "Cremated remains" means all the remains of a cremated body recovered after the
152 completion of the cremation process, including pulverization [which] that leaves only
153 bone fragments reduced to unidentifiable dimensions and may possibly include the
154 residue of foreign matter including casket material, bridgework, or eyeglasses that were
155 cremated with the human remains.

156 (11)(a) "Cremation" means the technical process, using direct flame and heat, or a
157 chemical process, that reduces human remains to bone fragments through heat and
158 evaporation, or a chemical process[and].
159 (b) "Cremation" includes the processing and usually the pulverization of the bone
160 fragments.

161 (12) "Cremation chamber" means the enclosed space within which the cremation process
162 takes place and which is used exclusively for the cremation of human remains.

163 (13) "Cremation container" means the container:
164 (a) in which the human remains are transported to the crematory and placed in the
165 cremation chamber for cremation; and
166 (b) that meets substantially all of the following standards:

167 (i) composed of readily combustible or consumable materials suitable for cremation;
168 (ii) able to be closed in order to provide a complete covering for the human remains;
169 (iii) resistant to leakage or spillage;
170 (iv) rigid enough for handling with ease; and
171 (v) able to provide protection for the health, safety, and personal integrity of
172 crematory personnel.

173 (14) "Crematory" means the building or portion of a building that houses the cremation
174 chamber and the holding facility.

175 (15) "Direct disposition" means the disposition of a dead human body:
176 (a) as quickly as law allows;
177 (b) without preparation of the body by embalming; and
178 (c) without an attendant funeral service or graveside service.

179 (16) "Disposition" means the final disposal of a dead human body by:
180 (a) earth interment;
181 (b) above ground burial;
182 (c) cremation;
183 (d) calcination;
184 (e) alkaline hydrolysis;
185 (f) burial at sea;
186 (g) delivery to a medical institution;[~~or~~
187 (h) natural organic reduction; or
188 [h)] (i) other lawful means.

189 (17) "Embalming" means replacing body fluids in a dead human body with preserving and
190 disinfecting chemicals.

191 (18)(a) "Funeral merchandise" means any of the following into which a dead human
192 body is placed in connection with the transportation or disposition of the body:

193 (i) a vault;
194 (ii) a casket; or
195 (iii) other personal property.

196 (b) "Funeral merchandise" does not include:

197 (i) a mausoleum crypt;
198 (ii) an interment receptacle preset in a cemetery; or
199 (iii) a columbarium niche.

200 (19) "Funeral service" means a service, rite, or ceremony performed:

201 (a) with respect to the death of a human; and
202 (b) with the body of the deceased present.

203 (20) "Funeral service director" means an individual licensed under this chapter who may
204 engage in all lawful professional activities regulated and defined under the practice of
205 funeral service.

206 (21)(a) "Funeral service establishment" means a place of business at a specific street
207 address or location licensed under this chapter that is devoted to:
208 (i) the embalming, care, custody, shelter, preparation for burial, and final disposition
209 of dead human bodies; and
210 (ii) the furnishing of services, merchandise, and products purchased from the
211 establishment as a preneed provider under a preneed funeral arrangement.

212 (b) "Funeral service establishment" includes:
213 (i) all portions of the business premises and all tools, instruments, and supplies used
214 in the preparation and embalming of dead human bodies for burial, cremation,
215 alkaline hydrolysis, natural organic reduction, and final disposition by other
216 lawful means as defined by division rule; and
217 (ii) a facility used by the business in which funeral services may be conducted.

218 (22) "Funeral service intern" means an individual licensed under this chapter who is
219 permitted to:
220 (a) assist a funeral service director in the embalming or other preparation of a dead
221 human body for disposition;
222 (b) assist a funeral service director in the cremation, calcination, alkaline hydrolysis,
223 natural organic reduction, or pulverization of a dead human body or [its] the body's
224 remains; and
225 (c) perform other funeral service activities under the supervision of a funeral service
226 director.

227 (23) "Graveside service" means a funeral service held at the location of disposition.

228 (24) "Memorial service" means a service, rite, or ceremony performed:
229 (a) with respect to the death of a human; and
230 (b) without the body of the deceased present.

231 (25) "Natural organic reduction" means the contained, accelerated conversion of human
232 remains to soil.

233 [(25)] (26) "Practice of funeral service" means:
234 (a) supervising the receipt of custody and transportation of a dead human body to

235 prepare the body for:

236 (i) disposition; or

237 (ii) shipment to another location;

238 (b) entering into a contract with a person to provide professional services regulated
239 under this chapter;

240 (c) embalming or otherwise preparing a dead human body for disposition;

241 (d) supervising the arrangement or conduct of:

242 (i) a funeral service;

243 (ii) a graveside service; or

244 (iii) a memorial service;

245 (e) cremation, calcination, alkaline hydrolysis, natural organic reduction, or
246 pulverization of a dead human body or the body's remains;

247 (f) supervising the arrangement of:

248 (i) a disposition; or

249 (ii) a direct disposition;

250 (g) facilitating:

251 (i) a disposition; or

252 (ii) a direct disposition;

253 (h) supervising the sale of funeral merchandise by a funeral establishment;

254 (i) managing or otherwise being responsible for the practice of funeral service in a
255 licensed funeral service establishment;

256 (j) supervising the sale of a preneed funeral arrangement; and

257 (k) contracting with or employing individuals to sell a preneed funeral arrangement.

258 [(26)] (27)(a) "Preneed funeral arrangement" means a written or oral agreement sold in
259 advance of the death of the beneficiary under which a person agrees with a buyer to
260 provide at the death of the beneficiary any of the following as are typically provided
261 in connection with a disposition:

262 (i) goods;

263 (ii) services, including:

264 (A) embalming services; and

265 (B) funeral directing services;

266 (iii) real property; or

267 (iv) personal property, including:

268 (A) a casket;

269 (B) another primary container;
270 (C) a cremation, alkaline hydrolysis, natural organic reduction, or transportation
271 container;
272 (D) an outer burial container;
273 (E) a vault;
274 (F) a grave liner;
275 (G) funeral clothing and accessories;
276 (H) a monument;
277 (I) a grave marker; and
278 (J) a cremation or alkaline hydrolysis urn.

279 (b) "Preneed funeral arrangement" does not include a policy or product of life insurance
280 providing a death benefit cash payment upon the death of the beneficiary [which] that
281 is not limited to providing the products or services described in Subsection [(26)(a)]
282 (27)(a).

283 [(27)] (28) "Processing" means the reduction of identifiable bone fragments after the
284 completion of the cremation, natural organic reduction, or the alkaline hydrolysis
285 process to unidentifiable bone fragments by manual means.

286 [(28)] (29) "Pulverization" means the reduction of identifiable bone fragments after the
287 completion of the cremation or alkaline hydrolysis and processing to granulated particles
288 by manual or mechanical means.

289 [(29) "Resomation" means the alkaline hydrolysis process.]

290 (30) "Sales agent" means an individual licensed under this chapter as a preneed funeral
291 arrangement sales agent.

292 (31) "Temporary container" means a receptacle for cremated or alkaline hydrolysis remains
293 usually made of cardboard, plastic, or similar material designed to hold the cremated
294 remains until an urn or other permanent container is acquired.

295 (32) "Unlawful conduct" means the same as that term is defined in Sections 58-1-501 and
296 58-9-501.

297 (33) "Unprofessional conduct" means the same as that term is defined in Sections 58-1-501
298 and 58-9-502.

299 (34) "Urn" means a receptacle designed to permanently encase cremated or alkaline
300 hydrolysis remains.

301 Section 3. Section **58-9-302** is amended to read:

302 **58-9-302 . Qualifications for licensure.**

303 (1) Each applicant for licensure as a funeral service director shall:

304 (a) submit an application in a form [prescribed by] the division approves;

305 (b) pay a fee as determined by the department under Section 63J-1-504;

306 (c) have obtained a high school diploma or [its] the equivalent or a higher education

307 degree;

308 (d) have obtained an associate degree, or [its] the equivalent, in mortuary science from a

309 school of funeral service accredited by the American Board of Funeral Service

310 Education or other accrediting body recognized by the [U.S.] United States

311 Department of Education;

312 (e) have completed not less than 2,000 hours and 50 embalmings of satisfactory

313 performance in training as a licensed funeral service intern under the supervision of a

314 licensed funeral service director; and

315 (f) obtain a passing score on examinations approved by the division in collaboration

316 with the board.

317 (2) Each applicant for licensure as a funeral service intern shall:

318 (a) submit an application in a form [prescribed by] the division approves;

319 (b) pay a fee as determined by the department under Section 63J-1-504;

320 (c) have obtained a high school diploma or [its] the equivalent or a higher education

321 degree; and

322 (d) obtain a passing score on an examination approved by the division in collaboration

323 with the board.

324 (3) Each applicant for licensure as a funeral service establishment and each funeral service

325 establishment licensee shall:

326 (a) submit an application in a form [prescribed by] the division approves;

327 (b) pay a fee as determined by the department under Section 63J-1-504;

328 (c) have in place:

329 (i) an embalming room for preparing dead human bodies for burial or final

330 disposition, which may serve one or more facilities operated by the applicant;

331 (ii) a refrigeration room that maintains a temperature of not more than 40 degrees

332 fahrenheit for preserving dead human bodies [prior to] before burial or [final]

333 disposition, which may serve one or more facilities operated by the applicant; and

334 (iii) maintain at all times a licensed funeral service director who is responsible for the

335 day-to-day operation of the funeral service establishment and who is personally

336 available to perform the services for which the license is required;

337 (d) affiliate with a licensed preneed funeral arrangement sales agent or funeral service
338 director if the funeral service establishment sells preneed funeral arrangements;
339 (e) file with the completed application a copy of each form of contract or agreement the
340 applicant will use in the sale of preneed funeral arrangements;
341 (f) provide evidence of appropriate licensure with the Insurance Department if the
342 applicant intends to engage in the sale of any preneed funeral arrangements funded in
343 whole or in part by an insurance policy or product to be sold by the provider or the
344 provider's sales agent; and
345 (g) if the applicant intends to offer alkaline hydrolysis or natural organic reduction in a
346 funeral service establishment, provide evidence that in accordance with rules made
347 by the division in accordance with Title 63G, Chapter 3, Utah Administrative
348 Rulemaking Act:
349 (i) the funeral service establishment meets the minimum standards for the handling,
350 holding, and processing of deceased human remains in a safe, clean, private, and
351 respectful manner; and
352 (ii) all operators of the alkaline hydrolysis or natural organic reduction equipment
353 have received adequate training.

354 (4) Each applicant for licensure as a preneed funeral arrangement sales agent shall:
355 (a) submit an application in a form ~~[prescribed by]~~ the division approves;
356 (b) pay a fee as determined by the department under Section 63J-1-504;
357 (c) have obtained a high school diploma or ~~[its]~~ the equivalent or a higher education
358 degree;
359 (d) have obtained a passing score on an examination approved by the division in
360 collaboration with the board;
361 (e) affiliate with a licensed funeral service establishment; and
362 (f) provide evidence of appropriate licensure with the Insurance Department if the
363 applicant intends to engage in the sale of any preneed funeral arrangements funded in
364 whole or in part by an insurance policy or product.

365 Section 4. Section **58-9-501** is amended to read:

366 **58-9-501 . Unlawful conduct.**

367 "Unlawful conduct" includes:

368 (1) doing any of the following to prepare a dead human body for disposition unless licensed
369 as a funeral service director or a funeral service intern:
370 (a) embalming;

371 (b) calcinating;
372 (c) pulverizing;
373 (d) cremating; or
374 (e) using any method that invades a dead human body;
375 (2) using the title "funeral service director," "funeral service intern," "preneed funeral
376 service sales agent," or "funeral service establishment" unless licensed under this
377 chapter;
378 (3) engaging in, providing, or agreeing to provide funeral arrangements to be provided
379 under a preneed funeral arrangement without first obtaining a license as a funeral service
380 establishment under this chapter;
381 (4) engaging in selling, representing for sale, or in any other way offering to sell any
382 contract under which preneed funeral arrangements are to be provided without first
383 obtaining a license under this chapter as:
384 (a) a preneed funeral arrangement sales agent; or
385 (b) a funeral service director;[~~and~~]
386 (5) in the course of a person's business, vocation, or occupation, knowingly using the soil
387 produced by the natural organic reduction process to grow food for human consumption;
388 and
389 [(5)] (6) failing to comply with Section 58-9-702.

390 Section 5. Section **58-9-503** is amended to read:

391 **58-9-503 . Penalty for unlawful conduct.**

392 (1) A person who violates the unlawful conduct provisions defined in Subsections
393 58-9-501(1) through [(4)] (5) is guilty of a class A misdemeanor.
394 (2) A person who violates the unlawful conduct provision defined in Subsection [
395 58-9-501(5)] 58-9-501(6) may be prosecuted under Title 76, Chapter 6, Part 4, Theft.

396 Section 6. Section **58-9-601** is amended to read:

397 **58-9-601 . Advance directions.**

398 (1) [A person] An individual may provide written directions, acknowledged before a notary
399 public or executed with the same formalities required of a will under Section 75-2-502,
400 to direct the preparation, type, and place of the [person's] individual's disposition,
401 including:
402 (a) designating a funeral service establishment;
403 (b) providing directions for burial arrangements;
404 (c) providing directions for cremation arrangements;[~~or~~]

405 (d) providing directions for alkaline hydrolysis arrangements[.] ; or
406 (e) providing directions for natural organic reduction.

407 (2) A funeral service director shall carry out the written directions of the decedent prepared
408 under this section to the extent that:
409 (a) the directions are lawful; and
410 (b) the decedent has provided resources to carry out the directions.

411 (3) [Directions] A funeral services director shall carry out the written directions for
412 disposition contained in a will ~~[shall be carried out pursuant to]~~ in accordance with
413 Subsection (2) regardless of:
414 (a) the validity of other aspects of the will; or
415 (b) the fact that the will may not be offered or admitted to probate until a later date.

416 (4) [A person] An individual may change or cancel written directions prepared under this
417 section at any time ~~[prior to]~~ before the ~~[person's]~~ individual's death by providing written
418 notice to all applicable persons, including:
419 (a) if the written directions designate a funeral service establishment or funeral service
420 director, the funeral service establishment or funeral service director designated in the
421 written directions; and
422 (b) if the written directions are contained in a will, the personal representative as defined
423 in Section 75-1-201.

424 Section 7. Section **58-9-606** is amended to read:

425 **58-9-606 . Right to rely -- Immunity.**

426 (1) A person signing a funeral service agreement, cremation authorization form, alkaline
427 hydrolysis authorization form, natural organic reduction authorization form, or other
428 authorization for a decedent's disposition warrants the truthfulness of the facts set forth
429 in the document, including the identity of the decedent and the person's authority to
430 order the disposition.

431 (2) A funeral service establishment has the right to rely on a contract or authorization
432 executed under Subsection (1) and may carry out the instructions of the person whom ~~[its]~~
433 the funeral service establishment's funeral service director reasonably believes holds the
434 right of disposition.

435 (3) A funeral service director incurs no civil or criminal liability for failure to contact or
436 independently investigate the existence of any next-of-kin or relative of the decedent.

437 (4) If there are at least two persons in the nearest class of the next-of-kin who are equal in
438 priority and a funeral service director has no knowledge of an objection by other

439 members of the class, the funeral service director may rely on and act according to the
440 instructions of the first person in the class to make funeral and disposition arrangements.

441 (5) A funeral service establishment or funeral service director who relies in good faith on
442 the instructions of a person claiming the right of disposition under this part is immune
443 from civil and criminal liability and disciplinary action in carrying out the disposition of
444 a decedent's remains in accordance with that person's instructions.

445 Section 8. Section **58-9-613** is amended to read:

446 **58-9-613 . Authorization for alkaline hydrolysis -- Penalties for removal of items
447 from human remains.**

448 (1) Except as otherwise provided in this section, a funeral service establishment may not
449 perform alkaline hydrolysis on human remains until the funeral service establishment
450 has received:

- 451 (a) an alkaline hydrolysis authorization form signed by an authorizing agent;
- 452 (b) a completed and executed burial transit permit or similar document, as provided by
453 state law, indicating that disposition of the human remains is to be by alkaline
454 hydrolysis; and
- 455 (c) any other documentation required by the state, county, or municipality.

456 (2)(a) The alkaline hydrolysis authorization form shall contain, at a minimum, the
457 following information:

- 458 (i) the identity of the human remains and the time and date of death, including a
459 signed declaration of visual identification of the deceased or refusal to visually
460 identify the deceased;
- 461 (ii) the name of the funeral director and funeral service establishment that obtained
462 the alkaline hydrolysis authorization;
- 463 (iii) notification as to whether the death occurred from a disease declared by the
464 Department of Health and Human Services to be infectious, contagious,
465 communicable, or dangerous to the public health;
- 466 (iv) the name of the authorizing agent and the relationship between the authorizing
467 agent and the decedent;
- 468 (v) a representation that the authorizing agent has the right to authorize the
469 disposition of the decedent by alkaline hydrolysis and that the authorizing agent is
470 not aware of any living [person] individual with a superior or equal priority right to
471 that of the authorizing agent, except that if there is another living [person]
472 individual with a superior or equal priority right, the alkaline hydrolysis

473 authorization form shall contain a representation that the authorizing agent has:
474 (A) made reasonable efforts to contact that [person] individual;
475 (B) been unable to do so; and
476 (C) no reason to believe that the [person] individual would object to the disposition
477 of the decedent by alkaline hydrolysis;
478 (vi) authorization for the funeral service establishment to use alkaline hydrolysis for
479 the disposition of the human remains;
480 (vii) the name of the person authorized to receive the human remains from the funeral
481 service establishment;
482 (viii) the manner in which the final disposition of the human remains is to take place,
483 if known;
484 (ix) a listing of each item of value to be delivered to the funeral service establishment
485 along with the human remains, and instructions as to how each item should be
486 handled;
487 (x) the signature of the authorizing agent, attesting to the accuracy of all
488 representations contained on the alkaline hydrolysis authorization form;
489 (xi) if the alkaline hydrolysis authorization form is being executed on a preneed
490 basis, the disclosure required for preneed programs under this chapter; and
491 (xii) except for a preneed alkaline hydrolysis authorization, the signature of the
492 funeral director of the funeral service establishment that obtained the alkaline
493 hydrolysis authorization.

494 (b)(i) The [person] individual referred to in Subsection (2)(a)(xii) shall execute the
495 alkaline hydrolysis authorization form as a witness and is not responsible for any
496 of the representations made by the authorizing agent.
497 (ii) The funeral director or the funeral service establishment shall warrant that the
498 human remains delivered to the funeral service establishment have been positively
499 identified by the authorizing agent or a designated representative of the
500 authorizing agent as the decedent listed on the alkaline hydrolysis authorization
501 form.
502 (iii) The authorizing agent or the agent's designee may make the identification
503 referred to in Subsection (2)(b)(ii) in person or by photograph.

504 (3)(a) A funeral service establishment may not accept unidentified human remains for
505 alkaline hydrolysis.
506 (b) If a funeral service establishment takes custody of an alkaline hydrolysis container [

507 subsequent to] after the human remains [being] were placed within the container, the
508 funeral service establishment [can] may rely on the identification made before the
509 remains were placed in the container.

510 (c) The funeral service establishment shall place appropriate identification on the
511 exterior of the alkaline hydrolysis container based on the prior identification.

512 [(4)(a) A person who removes or possesses dental gold or silver, jewelry, or mementos
513 from human remains:]

514 [(i) with purpose to deprive another over control of the property is guilty of an
515 offense and subject to the punishments provided in Section 76-6-404;]
516 [(ii) with purpose to exercise unauthorized control and with intent to temporarily
517 deprive another of control over the property is guilty of an offense and subject to
518 the punishments provided in Section 76-6-404.5; and]

519 [(iii) under circumstances not amounting to Subsection (4)(a)(i) or (ii) and without
520 specific written permission of the individual who has the right to control those
521 remains is guilty of a class B misdemeanor.]

522 [(b) The fact that residue or any unavoidable dental gold or dental silver or other
523 precious metals remain in alkaline hydrolysis equipment or a container used in a prior
524 alkaline hydrolysis process is not a violation of Subsection (4)(a).]

525 Section 9. Section **58-9-613.5** is enacted to read:

526 **58-9-613.5 . Authorization for natural organic reduction.**

527 (1) Except as otherwise provided in this section, a funeral service establishment may not
528 perform natural organic reduction on human remains until the funeral service
529 establishment has received:

- 530 (a) a natural organic reduction authorization form signed by an authorizing agent;
- 531 (b) a completed and executed burial transit permit or similar document, as provided by
532 state law, indicating that disposition of the human remains is to be by natural organic
533 reduction; and
- 534 (c) any other documentation required by the state, county, or municipality.

535 (2) Except as provided in Subsection (3), the natural organic reduction authorization form
536 shall contain, at a minimum, the following information:

- 537 (a) the identity of the human remains and the time and date of death, including a signed
538 declaration of visual identification of the deceased or refusal to visually identify the
539 deceased;
- 540 (b) the name of the funeral director and funeral service establishment that obtained the

natural organic reduction authorization;

- (c) notification as to whether the death occurred from a disease declared by the Department of Health and Human Services to be infectious, contagious, communicable, or dangerous to public health;
- (d) a representation that the death did not occur due to ebola, tuberculosis, or a prion disease;
- (e) the name of the authorizing agent and the relationship between the authorizing agent and the decedent;
- (f) a representation that the authorizing agent has the right to authorize the disposition of the decedent by natural organic reduction and that the authorizing agent is not aware of any living individual with a superior or equal priority right to that of the authorizing agent, except that if there is another living individual with a superior or equal priority right, the natural organic reduction authorization form shall contain a representation that the authorizing agent has:
 - (i) made reasonable efforts to contact that individual;
 - (ii) been unable to contact the individual; and
 - (iii) no reason to believe that the individual would object to the disposition of the decedent by natural organic reduction;
- (g) authorization for the funeral service establishment to use natural organic reduction for the disposition of the human remains;
- (h) the name of the individual authorized to receive the human remains from the funeral service establishment;
- (i) the manner in which the final disposition of the human remains is to take place, if known;
- (j) a listing of each item of value to be delivered to the funeral service establishment along with the human remains, and instructions as to how each item should be handled;
- (k) the signature of the authorizing agent, attesting to the accuracy of all representations contained on the natural organic reduction authorization form; and
- (l) the signature of the funeral director of the funeral service establishment that obtained the natural organic reduction authorization.

If the natural organic reduction form is being executed as part of a preneed funeral arrangement, the natural organic reduction authorization form shall:

- (a) contain the disclosure requirements for preneed programs under this chapter; and

575 (b) contain, at a minimum, the following information:

576 (i) the identity of the individual who, upon the individual's death, desires that the
577 individual's remains undergo the natural organic reduction process;

578 (ii) the name of the authorizing agent and the relationship between the authorizing
579 agent and the individual described in Subsection (3)(b)(i);

580 (iii) a representation that the authorizing agent has the right to authorize the
581 disposition of the individual's remains described in Subsection (3)(b)(i) by natural
582 organic reduction and that the individual described in Subsection (3)(b)(i)
583 consents to the authorizing agent's disposition of the individual's remains;

584 (iv) authorization for the funeral service establishment to use natural organic
585 reduction for the disposition of human remains;

586 (v) the name of the individual authorized to receive the human remains from the
587 funeral service establishment;

588 (vi) the manner in which the final disposition of the human remains is to take place, if
589 known;

590 (vii) a listing of each item of value to be delivered to the funeral service
591 establishment along with the human remains, and instructions as to how each item
592 should be handled; and

593 (viii) the signature of the authorizing agent, attesting to the accuracy of all
594 representations contained on the natural organic reduction authorization form.

595 (4)(a) The individual referred to in Subsection (2)(l) shall execute the natural organic
596 reduction authorization form as a witness and is not responsible for any of the
597 representations made by the authorizing agent.

598 (b) The funeral director or the funeral service establishment shall warrant that the human
599 remains delivered to the funeral service establishment have been positively identified
600 by the authorizing agent or a designated representative of the authorizing agent as the
601 decedent listed on the natural organic reduction authorization form.

602 (c) The authorizing agent or the authorizing agent's designee may make the
603 identification referred to in Subsection (4)(b) in person or by photograph.

604 (5)(a) A funeral service establishment may not accept unidentified human remains for
605 natural organic reduction.

606 (b) If a funeral service establishment takes custody of a natural organic reduction
607 container after the human remains were placed within the container, the funeral
608 service establishment may rely on the identification made before the remains were

placed in the container.

(c) The funeral service establishment shall place appropriate identification on the exterior of the natural organic reduction container based on the prior identification.

Section 10. Section **58-9-614** is amended to read:

58-9-614 . Recordkeeping.

(1)(a) A funeral service establishment shall furnish to the person [who] that delivers human remains to the establishment for alkaline hydrolysis or natural organic reduction a receipt signed by a representative of the establishment and the [person] individual making the delivery, showing:

- (i) the date and time of the delivery;
- (ii) the type of casket or alternative container delivered;
- (iii) the name of the [person] individual from whom the human remains were received;
- (iv) the name of the funeral establishment or other entity with whom the person making the delivery is affiliated;
- (v) the name of the [person] individual who received the human remains on behalf of the funeral service establishment; and
- (vi) the name of the decedent.

(b) The funeral service establishment shall keep a copy of the receipt in the funeral service establishment's permanent records for a period of seven years.

(2)(a) Upon release of human remains after alkaline hydrolysis or natural organic reduction, a funeral service establishment shall furnish to the person [who] that receives the human remains a receipt signed by a representative of the funeral service establishment and the person who receives the human remains, showing:

- (i) the date and time of the release;
- (ii) the name of the person to whom the human remains were released; and
- (iii) if applicable:
 - (A) the name of the funeral establishment, cemetery, or other entity with whom the person receiving the human remains is affiliated;
 - (B) the name of the person who released the human remains on behalf of the funeral service establishment; and
 - (C) the name of the decedent.

(b)(i) The receipt shall contain a representation from the person receiving the human remains confirming that the remains will not be used for any improper purpose.

(ii) Upon release of the human remains, the person to whom the human remains were

643 released may transport the human remains in any manner in the state, without a
644 permit, and dispose of the human remains in accordance with this chapter.

645 (c) The funeral service establishment shall retain a copy of the receipt in the funeral
646 service establishment's permanent records for a period of seven years.

647 (3)(a) The funeral service establishment shall maintain at the funeral service
648 establishment's place of business a permanent record of each disposition by alkaline
649 hydrolysis or natural organic reduction that took place at the funeral service
650 establishment.

651 (b) The permanent record shall contain:

652 (i) the name of the decedent;
653 (ii) the date of disposition by alkaline hydrolysis or natural organic reduction;
654 (iii) the final disposition of the human remains; and
655 (iv) any other document required by this chapter.

656 Section 11. Section **58-9-615** is amended to read:

657 **58-9-615 . Accepting remains for alkaline hydrolysis or natural organic reduction.**

658 (1) A funeral service establishment may not make or enforce a rule requiring that human
659 remains be placed in a casket before alkaline hydrolysis or natural organic reduction.

660 (2) A funeral service establishment may not refuse to accept human remains for alkaline
661 hydrolysis or natural organic reduction because the human remains are not in a casket.

662 (3) When using natural organic reduction to dispose of human remains, a funeral service
663 establishment shall ensure that all materials in the container holding the human remains
664 are readily reducible by natural organic reduction.

665 Section 12. Section **58-9-618** is amended to read:

666 **58-9-618 . Limitation of liability.**

667 (1) An authorizing agent who signs an alkaline hydrolysis or natural organic reduction
668 authorization form warrants the truthfulness of the facts set forth on the form, including:
669 (a) the identity of the deceased whose remains are to undergo the alkaline hydrolysis or
670 natural organic reduction process; and
671 (b) the authorizing agent's authority to order the alkaline hydrolysis or natural organic
672 reduction process.

673 (2) A funeral service establishment may rely upon the representations made by an
674 authorizing agent under Subsection (1).

675 (3) The authorizing agent is personally and individually liable for all damage resulting from
676 a misstatement or misrepresentation made under Subsection (1).

677 (4)(a) A funeral service establishment may arrange for the alkaline hydrolysis or natural
678 organic reduction process upon receipt of an alkaline hydrolysis or natural organic
679 reduction authorization form signed by an authorizing agent.

680 (b) A funeral service establishment that arranges the alkaline hydrolysis or natural
681 organic reduction process or releases or disposes of human remains from the alkaline
682 hydrolysis or natural organic reduction process pursuant to an alkaline hydrolysis or a
683 natural organic reduction authorization form is not liable for an action the funeral
684 service establishment takes pursuant to that authorization.

685 (5) A funeral service establishment is not responsible or liable for any valuables delivered
686 to the establishment with human remains.

687 (6) A funeral service establishment may refuse to arrange for the alkaline hydrolysis or
688 natural organic reduction process of a decedent, to accept human remains for the
689 alkaline hydrolysis or natural organic reduction process, or to perform the alkaline
690 hydrolysis or natural organic reduction process:

691 (a) if the funeral service establishment is aware of a dispute concerning the disposition
692 of the human remains and the funeral service establishment has not received a court
693 order or other suitable confirmation that the dispute has been resolved;

694 (b) if the funeral service establishment has a reasonable basis for questioning any of the
695 representations made by an authorizing agent; or

696 (c) for any other lawful reason.

697 (7)(a) If a funeral service establishment is aware of a dispute concerning the release or
698 disposition of remains from the alkaline hydrolysis or natural organic reduction
699 process in the funeral service establishment's possession, the funeral service
700 establishment may refuse to release the remains until:

701 (i) the dispute has been resolved; or

702 (ii) the funeral service establishment has received a court order authorizing the
703 release or disposition of the remains.

704 (b) A funeral service establishment is not liable for [its] the funeral service
705 establishment's refusal to release or dispose of remains from the alkaline hydrolysis
706 or natural organic reduction process in accordance with this Subsection (7).

707 Section 13. Section **58-9-620** is enacted to read:

708 **58-9-620 . Penalties for removal of items from human remains.**

709 (1) An individual who removes or possesses dental gold or silver, jewelry, or mementos
710 from human remains:

711 (a) with purpose to deprive another over control of the property is guilty of an offense
712 described in Section 76-6-404;

713 (b) with purpose to exercise unauthorized control and with intent to temporarily deprive
714 another over control of the property is guilty of an offense described in Section
715 76-6-404.5; and

716 (c) under circumstances that do not amount to the activities described in Subsection
717 (1)(a) or (b), and without specific written permission of the individual who has the
718 right to control those remains, is guilty of a class B misdemeanor.

719 (2) The fact that residue or any unavoidable dental gold or dental silver or other precious
720 metal remain in alkaline hydrolysis equipment or a container used in a prior alkaline
721 hydrolysis process is not a violation of Subsection (1).

722 Section 14. Section **58-9-621** is enacted to read:

723 **58-9-621 . Procedure for natural organic reduction.**

724 (1) A funeral service establishment may not perform natural organic reduction on human
725 remains unless the funeral service establishment:

726 (a) completes and files a death certificate with the Office of Vital Records and Statistics
727 and the county health department as indicated on the regular medical certificate of
728 death or the medical examiner's certificate; and

729 (b) complies with the provisions of Section 26B-8-230.

730 (2) A funeral service establishment may not perform simultaneous natural organic reduction
731 of the human remains of more than one individual within the same natural organic
732 reduction container.

733 (3) A funeral service establishment shall:

734 (a) verify the identification of human remains as indicated on a natural organic reduction
735 container immediately before performing natural organic reduction;

736 (b) attach an identification tag to the natural organic reduction container; and

737 (c) ensure that the identification tag remains on the natural organic reduction container
738 until the natural organic reduction process is complete.

739 (4) Upon completion of the natural organic reduction process, the funeral service
740 establishment shall:

741 (a) to the extent possible, remove all of the recoverable residue of the remains of the
742 natural organic reduction process from the natural organic reduction container;

743 (b) separate all other residue from the natural organic reduction process from remaining
744 bone fragment, to the extent possible, and process the bone fragments to reduce the

bone fragments to unidentifiable particles; and

(c) remove anything other than the unidentifiable bone particles from the remains of the natural organic reduction process, to the extent possible, and dispose of that material.

(5)(a) A funeral service establishment shall pack the unidentifiable bone particles

described in Subsection (4) and the identification tag described in Subsection (3) in an urn or temporary container ordered by the authorizing agent.

(b) The funeral service establishment shall pack any urn or temporary container in clean packing materials and prevent contamination with any other object, unless otherwise directed by the authorizing agent.

(c) If the remains of the natural organic reduction process cannot fit within the designated urn or temporary container, the funeral service establishment shall

- (i) return the excess remains to the authorizing agent or the agent's representative in a separate temporary container; and
- (ii) mark both a designated urn and a temporary container on the outside with the name of the decedent and an indication that the remains of the named decedent are in both the designated urn and the temporary container.

(6)(a) If the remains are to be shipped, the funeral service establishment shall pack any designated urn or temporary container.

(b) The funeral service establishment shall have the remains shipped only by a method that:

- (i) has an available tracking system; and
- (ii) provides a receipt signed by the individual accepting the delivery.

Section 15. Section **58-9-622** is enacted to read:

58-9-622 . Disposition of remains from the natural organic reduction process.

(1) As used in this section, "remains" means the remaining soil left after the decomposition of a body through the natural organic reduction process.

(2)(a) The authorizing agent is responsible for the disposition of the remains.

(b) An authorizing agent shall provide the person with which natural organic reduction arrangements are made a signed statement specifying the disposition of the remains, if known.

(c) The person to which the authorizing agent provides the signed statement described in Subsection (2)(b) shall retain a copy of the statement.

(d) If the authorizing agent or the agent's representative has not specified the ultimate disposition of or claimed the remains within 60 days after the day on which the

779 natural organic reduction process occurs, the funeral service establishment may
780 dispose of the remains in any manner permitted by law, except scattering.

781 (e) The authorizing agent shall reimburse the funeral service establishment for all
782 reasonable costs incurred in disposing of the remains under Subsection (2)(d).

783 (f) The person disposing of remains under this section:

784 (i) shall make and keep a record of the final disposition of the remains; and
785 (ii) is discharged from any legal obligation or liability concerning the remains once
786 the final disposition has been made.

787 (3)(a) Subject to Subsection (5), an authorizing agent may direct a funeral service
788 establishment to dispose of or arrange for the final disposition of remains:

789 (i) in a crypt, niche, grave, or scattering garden located in a dedicated cemetery;
790 (ii) by placing the remains in uninhabited public land, the sea, or other public
791 waterways subject to health and environmental laws and regulations; or
792 (iii) except as provided in Section 58-9-501, in any manner on the private property of
793 a consenting owner.

794 (b) If remains are to be disposed of on private property, other than dedicated cemetery
795 property, the authorizing agent shall provide the funeral service establishment with
796 the written consent of the property owner before disposal of the remains.

797 (4) A funeral service establishment may not release remains to the authorizing agent or the
798 agent's designated representative until the funeral service establishment:

799 (a) is given a receipt that shows the proper filing has been made with the local registrar
800 of births and deaths; or
801 (b) makes the proper filing with the local registrar of births and deaths.

802 (5) The knowing use of remains in growing food for human consumption is unlawful
803 conduct as described in Section 58-9-501.

804 Section 16. **Effective Date.**

805 This bill takes effect on May 6, 2026.