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Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Blessing

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SUMMARY

- Authorizes the use of natural organic reduction (“reduction”) as an allowable form of disposition for human remains in any situation in which cremation is allowed and requires reduction to be regulated generally in the same manner as cremation.
- Requires operators of reduction facilities to obtain a permit from the Board of Embalmers and Funeral Directors.
- Requires a reduction facility to be licensed by the Board of Embalmers and Funeral Directors.
- Specifies fees for the issuance and renewal of reduction facility licenses and operating permits.
- Specifies that continuing laws concerning the registration and maintenance of cemeteries do not apply to conservation land in which reduced remains are placed or comingled with soil.

DETAILED ANALYSIS

Overview

The bill authorizes “natural organic reduction” (reduction) as a form of disposition for human remains. Reduction is the technical process whereby human or animal remains are converted into soil in a reduction chamber using natural decomposition accelerated by adding natural or organic materials, and includes the processing and pulverization of bone fragments. A “reduction chamber” is (1) the enclosed space where the remains are reduced and (2) any other

attached, unenclosed, and mechanical components necessary for safe and proper equipment functioning.¹

Disposition of remains

Continuing law, unchanged by the bill, allows for various means of disposition for human remains. The bill adds reduction as an allowable means of disposition in any situation where cremation is also allowed. Additionally, the bill makes changes throughout the Revised Code allowing reduction, reduction facilities, and reduction facility operators to be overseen and regulated in the same manner as cremation, cremation facilities, and cremation facility operators. A “reduction facility” is where a reduction chamber is located and reduction takes place. A “reduction facility operator” is a person who engages in reduction at one or more reduction facilities licensed under the bill and who has a reduction operator permit issued under the bill.²

Licensing

Continuing law imposes various restrictions and requirements on the handling and disposition of human remains. The bill adds to these, specifying that no person is to engage in the reduction of remains or operate a reduction facility unless they hold a reduction facility operator permit and a reduction facility license.³ Accordingly, the bill requires the Board of Embalmers and Funeral Directors to adopt rules regarding requirements for licensing and operation of reduction facilities, including educational standards, and to administer and issue, reduction facility licenses and operating permits.⁴

A reduction facility may be located in a funeral home, embalming facility, cemetery facility, crematory facility, or any other building in which a reduction facility may lawfully operate, so long as the facility is adequately equipped and maintained in a clean and sanitary manner. Reduction chambers that are used to process human remains may not be used to process animal remains and vice versa, but human reduction chambers and animal reduction chambers may be located in the same area. Animal reduction chambers must be conspicuously labelled as being for the reduction of animal remains only.⁵

¹ R.C. 4717.01(Y) and (AA).

² R.C. 9.15, 313.12, 759.01, 1713.36, 1721.06, 1721.18, 1721.21, 2108.15, 2108.70, 2108.72, 2108.75, 2108.82, 2108.83, 2108.84, 2108.85, 2108.86, 2108.87, 2111.13, 2743.51, 2925.01, 3705.01, 3705.18, 3705.19, 3705.20, 4511.451, 4717.01(Z) and (CC), 4717.03, 4717.04, 4717.06, 4717.08, 4717.11, 4747.13, 4717.14, 4717.15, 4717.20, 4717.21, 4717.22, 4717.23, 4717.24, 4717.25, 4717.26, 4717.27, 4717.28, 4717.29, 4717.30, 4717.36, 4717.41, 4767.02, 4767.05, 5120.45, 5121.11, 5121.53, 5901.25, 5901.26, 5901.27, 5901.29, and 5901.32.

³ R.C. 4717.13(A)(11) and (16).

⁴ R.C. 4717.04(A)(11) and 4717.06(A)(1) and (E).

⁵ R.C. 4717.06(E)(2) and 4717.13(A)(12).

The board is required to issue a reduction facility license only to the holder of a reduction facility operator permit who is actually in charge and ultimately responsible for the reduction facility. However, reduction license recipients are not required to also hold an embalmer or funeral director license or a crematory operator permit.⁶

Facility licenses are only to be issued for the address at which the reduction facility is physically located and operated. The license is required to be displayed in a conspicuous place within the reduction facility. The bill specifies that it is not to be construed as precluding the establishment and operation of a reduction facility on or next door to a cemetery, funeral home, embalming facility, or crematory facility.⁷

The bill requires any person who is licensed to operate a reduction facility to obtain a new license upon any change in the location of the facility or any change in the ownership of the business entity operating the facility that results in the ownership of the business entity being held by one or more persons who solely or in combination with others did not own a majority of the business entity immediately before the change in ownership. The person licensed to operate the reduction facility is required to surrender the current license to the board within 30 days after any such change occurs.⁸

License and permit fees

The bill imposes the following fees with regard to reduction facility licenses and operating permits:

- Reduction facility license application fee – \$400;
- Biennial reduction facility license renewal – \$400;
- Lapsed license reinstatement fee – \$50 for each month or portion of a month the license was lapsed, capped at \$500;⁹
- Initial reduction facility operator permit – \$150;
- Biennial renewal of reduction facility operator permit – \$150;
- Lapsed reduction facility operation permit reinstatement fee - \$50 for each month or portion of a month the permit is lapsed, capped¹⁰ at \$500.¹¹

⁶ R.C. 4717.06(E)(3).

⁷ R.C. 4717.06(E)(1) and (4).

⁸ R.C. 4717.11(D).

⁹ It is unclear whether the \$500 cap applies to only the reinstatement fee or the combined biennial renewal fee plus the reinstatement fee.

¹⁰ It is unclear whether the \$500 cap applies to only the reinstatement fee or the combined biennial renewal fee plus the reinstatement fee.

¹¹ R.C. 4717.07(A)(13), (14), (15), and (16).

Cemeteries

Continuing law, unchanged by the bill, prohibits any person or organization from owning, operating, or maintaining a cemetery unless the cemetery is registered with the Division of Real Estate within the Department of Commerce. The bill specifies that private conservation land in which reduced remains (which are remains converted to soil via reduction, including any foreign matter reduced with the remains) have been placed or comingled with soil are not cemeteries and not subject to this requirement.¹²

HISTORY

| Action | Date |
|------------|----------|
| Introduced | 11-10-25 |

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¹² R.C. 4717.01(BB) and 4767.02(D)(1)(c); R.C. 4767.03, not in the bill.