

SENATE No. 1611

The Commonwealth of Massachusetts

PRESENTED BY:

Jacob R. Oliveira

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to natural organic reduction as an environmentally-friendly burial alternative.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>2/27/2025</i>

SENATE No. 1611

By Mr. Oliveira, a petition (accompanied by bill, Senate, No. 1611) of Jacob R. Oliveira and Paul W. Mark for legislation to offer natural organic reduction as an environmentally-friendly burial alternative. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to natural organic reduction as an environmentally-friendly burial alternative.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 14 of chapter 38 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by inserting after the word “cremation”, in lines 6, 7 and 9,
3 in each instance, the following words:- , natural organic reduction.

4 SECTION 2. Said section 14 of said chapter 38, as so appearing, is hereby further
5 amended by inserting after the word “cremation”, in lines 10, 14 and 16, in each instance, the
6 following words:- or natural organic reduction.

7 SECTION 3. Section 14A of chapter 85 of the General Laws, as so appearing, is hereby
8 amended by striking out, in line 26, the following word:- cremated.

9 SECTION 4. Section 202 of chapter 111 of the General Laws, as so appearing, is hereby
10 amended by striking out, in line 43, the word “cremated” and inserting in place thereof the
11 following words:- disposed of by cremation or natural organic reduction.

12 SECTION 5. Said section 202 of said chapter 111, as so appearing, is hereby further
13 amended by inserting after the word “entombment”, in line 55, the following words:-, natural
14 organic reduction.

15 SECTION 6. Section 82 of chapter 112 of the General Laws, as so appearing, is hereby
16 amended by inserting after the word “cremation”, in line 10, the following words:- , natural
17 organic reduction.

18 SECTION 7. Section 83 of said chapter 112, as so appearing, is hereby amended by
19 inserting after the word “cremation”, in lines 40 and 43, in each instance, the following words:- ,
20 natural organic reduction.

21 SECTION 8. Section 4 of chapter 113 of the General Laws, as so appearing, is hereby
22 amended by striking out, in line 9, the words “buried or cremated” and inserting in place thereof
23 the following words:- disposed of by burial, cremation or natural organic reduction.

24 SECTION 9. Section 14 of chapter 113A of the General Laws, as so appearing, is hereby
25 amended by inserting after the word “burial”, in lines 49 and 50, in each instance, the following
26 words:- , natural organic reduction.

27 SECTION 10. Said section 1 of said chapter 114, as so appearing, is hereby further
28 amended by inserting after the definition of “Monument or memorial” the following 2
29 definitions:-

30 “Natural organic reduction”, the contained, accelerated conversion of human remains to
31 soil.

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

34 SECTION 11. Said section 1 of said chapter 114, as so appearing, is hereby further
35 amended by striking out, in line 56, the following word:- cremated.

36 SECTION 12. Said chapter 114 is hereby amended by striking out section 6, as so
37 appearing, and inserting in place thereof the following section:-

38 Section 6. Such corporation may conduct cremation or natural organic reduction in a
39 natural organic reduction facility upon the bodies of the dead. Such corporation may provide
40 necessary buildings and appliances therefor and for the disposition of the remains of the dead on
41 any land within its cemetery which the department of environmental protection determines is
42 suitable therefor, subject to the section 43D, and such buildings and appliances shall be a part of
43 the cemetery and be dedicated to the burial of the dead, and shall be held by said corporations
44 subject to the duties, and with the privileges and immunities, which they now have by law.

45 SECTION 13. Section 7 of said chapter 114, as appearing in the 2022 Official Edition, is
46 hereby amended by inserting after the word "cremation", in line 3, the following words:- or
47 natural organic reduction.

48 SECTION 14. Section 9 of said chapter 114, as so appearing, is hereby amended by
49 striking out, in lines 3 and 4, the words "of bodies of the dead and for the disposition of the
50 ashes" and inserting in place thereof the following words:- or natural organic reduction
51 performed upon the bodies of the dead and for the disposition of the remains.

52 SECTION 15. Said section 9 of said chapter 114, as so appearing, is hereby further
53 amended by inserting after the word “cremation”, in line 10, the following words:- or natural
54 organic reduction.

55 SECTION 16. Said chapter 114 is hereby amended by striking out section 43M, as so
56 appearing, and inserting in place thereof the following section:-

57 Section 43M. Except as otherwise provided by law, or in case of a dead body being
58 rightfully carried through or removed from the commonwealth for the purpose of burial or
59 disposition elsewhere, every dead body of a human being dying within the commonwealth, and
60 the remains of any body after dissection therein, shall be decently buried, entombed in a
61 mausoleum, vault or tomb or disposed of by cremation or natural organic reduction within a
62 reasonable time after death. The permanent disposition of such bodies or remains shall be by
63 interment in the earth or deposit in a chamber, vault or tomb of a cemetery owned, maintained
64 and operated in accordance with the laws of this commonwealth, by deposit in a crypt of a
65 mausoleum, or by cremation or natural organic reduction. The remains of a human body after
66 cremation or natural organic reduction may be deposited in a niche of a columbarium or a crypt
67 of a mausoleum, buried or disposed of in any manner not contrary to law. Notwithstanding any
68 general or special law to the contrary, a funeral establishment in possession of the remains of a
69 human body which is not claimed by a next-of-kin or duly authorized representative within 12
70 months after the date of cremation or natural organic reduction may have the remains interred or
71 placed in a common grave, niche or crypt in a cemetery, or scattered in an area of the cemetery
72 designated for that purpose; provided, however, that if the deceased is a veteran of the United
73 States Armed Forces the deceased shall be interred at a veterans' cemetery. Each cemetery and
74 funeral establishment shall maintain permanent records of such disposition. There shall be no

75 liability for a funeral establishment, cemetery or corporation described in section 6, or any
76 employee or agent thereof that disposes of unclaimed remains in accordance with this section.
77 Each municipality or cemetery corporation shall maintain records which identify the name, if
78 known, of the dead human body or remains in each burial lot, tomb or vault under its control. No
79 deposit of the bodies or remains of the human dead shall be made in a single chamber, vault or
80 tomb wholly or partly above the natural surface of the ground unless the part thereof below such
81 surface is of a permanent character, constructed of materials capable of withstanding extreme
82 climatic conditions, waterproof and air tight, and capable of being sealed permanently to prevent
83 all escape of effluvia, and unless the part thereof above the natural surface of the ground is
84 constructed of natural stone of a standard not less than that required by the United States
85 government for monuments erected in national cemeteries, of durability sufficient to withstand
86 all conditions of weather.

87 Notwithstanding any general or special law to the contrary and for the purposes of this
88 section, a board of health may serve as the duly authorized representative for the purpose of
89 requesting cremation, or natural organic reduction of unclaimed remains by signing a form under
90 the following circumstances: (i) the unclaimed remains shall be in a location that is within the
91 jurisdiction of the board of health; (ii) the board of health has received notice from a licensed
92 funeral director that either no person has come forward to claim the remains or that no person
93 may legally claim the remains; provided, however, that the board of health shall wait 30 days
94 after such notification under this clause prior to signing the form. The unclaimed remains shall
95 then be viewed by a medical examiner or forensic investigator designated by the chief medical
96 examiner pursuant to section 14 of chapter 38, who shall authorize the cremation or natural
97 organic reduction only when no further examination or judicial inquiry concerning the death is

98 necessary. The office of the chief medical examiner may waive the fee set forth in said section
99 14 of said chapter 38 for cremation authorizations pursuant to this section. There shall be no
100 liability for a board of health or an employee, agent, or licensee thereof that authorizes the
101 disposal of unclaimed remains in accordance with this section. Nothing in this section shall
102 supersede the obligations of the office of the chief medical examiner as set forth in this chapter
103 and chapter 38.

104 SECTION 17. Said chapter 114 is hereby further amended by striking out section 44 and
105 inserting in place thereof the following section:-

106 Section 44. Cremation or natural organic reduction shall not be conducted upon the body
107 of a deceased person within 48 hours after the person's decease, unless the person died of a
108 contagious or infectious disease. If the death occurred within the commonwealth, cremation or
109 natural organic reduction shall not be conducted upon the body by any corporation described in
110 section 6 until the corporation's officers have received (i) the certificate or burial permit required
111 by law before burial; and (ii) a certificate from a medical examiner or similarly authorized
112 person who has viewed the body and made personal inquiry into the cause and manner of death
113 and is of opinion that no further examination or judicial inquiry concerning the same is
114 necessary. If the death occurs without the commonwealth, the medical examiner's certificate may
115 be provided by a medical examiner or similarly authorized person in whose jurisdiction the death
116 occurred or the reception and cremation or natural organic reduction of the body of a deceased
117 person shall be governed by a by-law or regulation made or approved by the department of
118 public health as provided in section 9.

119 SECTION 18. Section 44A of said chapter 114, as so appearing, is hereby amended by
120 striking out, in line 1, the words “to be cremated” and inserting in place thereof the following
121 words:- prior to cremation or natural organic reduction.

122 SECTION 19. Said chapter 114 is hereby further amended by striking out section 47 and
123 inserting in place thereof the following section:-

124 Section 47. No person having the care of a cemetery, burial ground, natural organic
125 reduction facility or crematory shall permit the burial, removal, natural organic reduction or
126 cremation of a human body until the permit for such burial, removal, natural organic reduction or
127 cremation has been delivered to him, nor permit the remains of a human body to be buried
128 therein until there has been delivered to him a certificate that the burial permit and the certificate
129 of the medical examiner prerequisite to the disposal of said body have been duly presented.

130 Upon the burial, removal, natural organic reduction or cremation of a body, the
131 superintendent or other officer in charge of the cemetery, natural organic reduction facility or
132 crematory shall indorse upon the coupon accompanying the permit the fact of such burial,
133 removal, natural organic reduction or cremation, with the date thereof, shall make and preserve
134 in the files of the cemetery or crematory a record of such burial, removal, natural organic
135 reduction or cremation, including any recital in the burial permit relative to service of the
136 deceased as a veteran as defined in section 10 of chapter 46, and also the location of the grave or
137 other receptacle of the body or remains of the deceased, and shall forthwith return the coupon to
138 the office issuing the same; provided, that if there is no officer in charge of the cemetery or
139 crematory, such duties shall be performed by the undertaker.