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**BUSINESS AND PROFESSIONS CODE - BPC**

**DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11]** ( *Heading of Division 3 added by Stats. 1939, Ch. 30. )*

**CHAPTER 12. Cemetery and Funeral Act [7600 - 7746]** ( *Heading of Chapter 12 amended by Stats. 2015, Ch. 395, Sec. 3. )*

**ARTICLE 4.5. Cremated Remains Disposer [7672 - 7673.2]** ( *Article 4.5 added by Stats. 2015, Ch. 395, Sec. 20. )*

**7672.** (a) A person shall not dispose of or offer to dispose of cremated human remains or hydrolyzed human remains unless registered as a cremated remains disposer by the bureau. This article shall not apply to a person, partnership, or corporation holding a certificate of authority as a cemetery, crematory license, hydrolysis facility license, cemetery broker's license, cemetery salesperson's license, or funeral director's license, nor shall this article apply to a person having the right to control the disposition of the cremated remains or hydrolyzed human remains of a person or that person's designee if the person does not dispose of, or offer to dispose of, more than 10 cremated human remains or hydrolyzed human remains within any calendar year.

(b) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

*(Amended by Stats. 2022, Ch. 399, Sec. 9. (AB 351) Effective January 1, 2023. Repealed as of January 1, 2027, by its own provisions. See later operative version added by Sec. 10 of Stats. 2022, Ch. 399.)*

**7672.** (a) A person shall not dispose of, or offer to dispose of, cremated, reduced, or hydrolyzed human remains unless registered as a cremated remains disposer by the bureau. This article does not apply to a person, partnership, or corporation holding a certificate of authority as a cemetery, crematory license, reduction facility, hydrolysis facility license, cemetery broker's license, cemetery salesperson's license, or funeral director's license, nor shall this article apply to a person having the right to control the disposition of the cremated, reduced, or hydrolyzed human remains of a person or that person's designee if the person does not dispose of, or offer to dispose of, more than 10 human remains within a calendar year.

(b) This section shall become operative on January 1, 2027.

*(Repealed (in Sec. 9) and added by Stats. 2022, Ch. 399, Sec. 10. (AB 351) Effective January 1, 2023. Operative January 1, 2027, by its own provisions.)*

**7672.1.** (a) Registration shall be on the form prescribed by the bureau and shall include, but not be limited to, the full name of the registrant, business and residence addresses, description and identification of aircraft or boats that may be used in dispensing cremated human remains or hydrolyzed human remains, and the area to be served. Each registration application shall be accompanied by the cremated remains disposer fee.

(b) Every registered cremated remains disposer who dispenses human remains by air shall post a copy of the person's current pilot's license, and the address of the cremated remains or hydrolyzed human remains storage area at their place of business. Every registered cremated remains disposer who dispenses human remains by boat shall post a copy of the person's current boating license and the address of the cremated remains or hydrolyzed human remains storage area at their place of business.

(c) Commencing January 1, 2027, every registered cremated remains disposer who integrates reduced human remains into the soil shall post a copy of the address of the reduced human remains storage area at their place of business.

*(Amended by Stats. 2022, Ch. 399, Sec. 11. (AB 351) Effective January 1, 2023.)*

**7672.2.** (a) The bureau shall prepare and deliver to each registered cremated remains disposer a booklet that includes, but is not limited to, the following information: details about the registration and renewal requirements for cremated remains disposers; requirements for obtaining state permits to dispose of cremated human remains or hydrolyzed human remains; state storage requirements, if any; statutory duties pursuant to this article, and other applicable state laws.

(b) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

*(Amended by Stats. 2022, Ch. 399, Sec. 12. (AB 351) Effective January 1, 2023. Repealed as of January 1, 2027, by its own provisions. See later operative version added by Sec. 13 of Stats. 2022, Ch. 399.)*

**7672.2.** (a) The bureau shall prepare and deliver to each registered cremated remains disposer a booklet that includes, but is not limited to, the following information: details about the registration and renewal requirements for cremated remains disposers; requirements for obtaining state permits to dispose of cremated, reduced, or hydrolyzed human remains; state storage requirements, if any; statutory duties pursuant to this article, and other applicable state laws.

(b) This section shall become operative on January 1, 2027.

*(Repealed (in Sec. 12) and added by Stats. 2022, Ch. 399, Sec. 13. (AB 351) Effective January 1, 2023. Operative January 1, 2027, by its own provisions.)*

**7672.3.** (a) All aircraft used for the scattering of cremated human remains or hydrolyzed human remains shall be validly certified by the Federal Aviation Administration. All boats or vessels used for the scattering of cremated human remains or hydrolyzed human remains shall be registered with the Department of Motor Vehicles or documented by a federal agency, as appropriate. The certification or registration shall be available for inspection by the bureau.

(b) This section shall become operative on July 1, 2020.

*(Repealed (in Sec. 13) and added by Stats. 2017, Ch. 846, Sec. 14. (AB 967) Effective January 1, 2018. Section operative July 1, 2020, by its own provisions.)*

**7672.4.** (a) A cremated remains disposer who scatters cremated human remains or hydrolyzed human remains without specific written instructions from the person having the right to control the disposition of the remains or who scatters remains in a manner not in accordance with those instructions shall be subject to disciplinary action.

(b) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

*(Amended by Stats. 2022, Ch. 399, Sec. 14. (AB 351) Effective January 1, 2023. Repealed as of January 1, 2027, by its own provisions. See later operative version added by Sec. 15 of Stats. 2022, Ch. 399.)*

**7672.4.** (a) A cremated remains disposer who scatters cremated human remains or hydrolyzed human remains or who integrates reduced human remains into the soil without specific written instructions from the person having the right to control the disposition of the remains or who scatters or integrates into the soil human remains in a manner not in accordance with those instructions shall be subject to disciplinary action.

(b) This section shall become operative on January 1, 2027.

*(Repealed (in Sec. 14) and added by Stats. 2022, Ch. 399, Sec. 15. (AB 351) Effective January 1, 2023. Operative January 1, 2027, by its own provisions.)*

**7672.5.** Each cremated remains disposer shall provide the person with the right to control the disposition of the remains under Section 7100 of the Health and Safety Code with a copy of the completed permit for disposition of human remains pursuant to Chapter 8 (commencing with Section 103050) of Part 1 of Division 102 of the Health and Safety Code within 30 days of the date of the scattering.

*(Added by Stats. 2015, Ch. 395, Sec. 20. (AB 180) Effective January 1, 2016.)*

**7672.6.** (a) Every cremated remains disposer shall do both of the following:

(1) Dispose of cremated remains or hydrolyzed human remains within 60 days of the receipt of those remains, unless a written signed reason for a delay is presented to the person with the right to control the disposition of the remains under Section 7100 of the Health and Safety Code.

(2) Provide the bureau with the address and telephone number of any storage facility being used by the registrant to store cremated remains or hydrolyzed human remains. Cremated remains or hydrolyzed human remains shall be stored in a place free from exposure to the elements, and shall be responsibly maintained until disposal. The bureau and its representatives shall conduct, on an annual basis, random inspections of the operations of 5 to 10 percent of the registered cremated remains disposers, and is authorized to inspect any place used by a cremated remains disposer for the storage of cremated remains or hydrolyzed human remains without notice to the cremated remains disposer.

(b) A violation of the requirements of this section is grounds for disciplinary action.

(c) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

*(Amended by Stats. 2022, Ch. 399, Sec. 16. (AB 351) Effective January 1, 2023. Repealed as of January 1, 2027, by its own provisions. See later operative version added by Sec. 17 of Stats. 2022, Ch. 399.)*

**7672.6.** (a) Every cremated remains disposer shall do both of the following:

(1) Dispose of cremated, reduced, or hydrolyzed human remains within 60 days of the receipt of those remains, unless a written signed reason for a delay is presented to the person with the right to control the disposition of the remains under Section 7100 of the Health and Safety Code.

(2) Provide the bureau with the address and telephone number of any storage facility being used by the registrant to store cremated, reduced, or hydrolyzed human remains. Cremated, reduced, or hydrolyzed human remains shall be stored in a place free from exposure to the elements, and shall be responsibly maintained until disposal. The bureau and its representatives shall conduct, on an annual basis, random inspections of the operations of 5 to 10 percent of the registered cremated remains disposers, and may inspect any place used by a cremated remains disposer for the storage of cremated, reduced, or hydrolyzed human remains without notice to the cremated remains disposer.

(b) A violation of the requirements of this section is grounds for disciplinary action.

(c) This section shall become operative on January 1, 2027.

*(Repealed (in Sec. 16) and added by Stats. 2022, Ch. 399, Sec. 17. (AB 351) Effective January 1, 2023. Operative January 1, 2027, by its own provisions.)*

**7672.7.** (a) Each cremated remains disposer shall file, and thereafter maintain, an updated copy of, an annual report on a form prescribed by the bureau. The report shall include, but not be limited to, the names of the deceased persons whose cremated remains or hydrolyzed human remains were disposed of, the dates of receipt of the cremated remains or hydrolyzed human remains, the names and addresses of the persons who authorized disposal of those remains, the dates and locations of disposal of those remains, and the means and manner of disposition. The report shall cover the fiscal year ending on June 30 and shall be filed with the bureau no later than September 30 of each year.

(b) A cremated remains disposer that makes a willful and material false statement regarding the disposal of cremated remains or hydrolyzed human remains in the annual report filed or updated pursuant to subdivision (a) shall be subject to disciplinary action.

(c) A cremated remains disposer that makes a willful and material false statement in the annual report filed or updated pursuant to subdivision (a) shall be guilty of a misdemeanor.

(d) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

*(Amended by Stats. 2022, Ch. 399, Sec. 18. (AB 351) Effective January 1, 2023. Repealed as of January 1, 2027, by its own provisions. See later operative version added by Sec. 19 of Stats. 2022, Ch. 399.)*

**7672.7.** (a) Each cremated remains disposer shall file, and thereafter maintain, an updated copy of, an annual report on a form prescribed by the bureau. The report shall include, but not be limited to, the names of the deceased persons whose cremated, reduced, or hydrolyzed human remains were disposed of, the dates of receipt of the cremated, reduced, or hydrolyzed human remains, the names and addresses of the persons who authorized disposal of those remains, the dates and locations of disposal of those remains, and the means and manner of disposition. The report shall cover the fiscal year ending on June 30 and shall be filed with the bureau no later than September 30 of each year.

(b) A cremated remains disposer who makes a willful and material false statement regarding the disposal of cremated, reduced, or hydrolyzed human remains in the annual report filed or updated pursuant to subdivision (a) shall be subject to disciplinary action.

(c) A cremated remains disposer who makes a willful and material false statement in the annual report filed or updated pursuant to subdivision (a) shall be guilty of a misdemeanor.

(d) This section shall become operative on January 1, 2027.

*(Repealed (in Sec. 18) and added by Stats. 2022, Ch. 399, Sec. 19. (AB 351) Effective January 1, 2023. Operative January 1, 2027, by its own provisions.)*

**7672.8.** All cremated remains disposer registrations shall expire at midnight on September 30 of each year. A person desiring to renew his or her registration shall file an application for renewal on a form prescribed by the bureau accompanied by the required fee. A registration that has expired may be renewed within five years of its expiration upon payment of all accrued and unpaid renewal fees. The bureau shall not renew the registration of any person who has not filed the required annual report until he or she has filed a complete annual report with the department.

*(Added by Stats. 2015, Ch. 395, Sec. 20. (AB 180) Effective January 1, 2016.)*

**7672.9.** If a person fails to apply for renewal of his or her cremated remains disposer registration prior to midnight of September 30 of the year for which the registration was issued, no renewal shall be issued except upon payment of the delinquent renewal fee required under Section 7729.2.

*(Added by Stats. 2015, Ch. 395, Sec. 20. (AB 180) Effective January 1, 2016.)*

**7672.10.** (a) A person who scatters cremated human remains or hydrolyzed human remains without a valid registration and who is not otherwise exempt from this article shall be guilty of a misdemeanor. The remains of each person scattered shall constitute a separate violation.

(b) Commencing January 1, 2027, a person who integrates reduced human remains into the soil without a valid registration and who is not otherwise exempt from this article shall be guilty of a misdemeanor. The remains of each person integrated into the soil shall constitute a separate violation.

*(Amended by Stats. 2022, Ch. 399, Sec. 20. (AB 351) Effective January 1, 2023.)*

**7673.** (a) A person who scatters any cremated human remains or hydrolyzed human remains without specific written instructions from the person having the right to control the disposition of the remains or who scatters remains in a manner not in accordance with those instructions shall be guilty of a misdemeanor.

(b) Commencing January 1, 2027, a person who integrates reduced human remains into the soil without specific written instructions from the person having the right to control the disposition of the remains, or who integrates reduced human remains into the soil in a manner not in accordance with those instructions shall be guilty of a misdemeanor.

*(Amended by Stats. 2022, Ch. 399, Sec. 21. (AB 351) Effective January 1, 2023.)*

**7673.1.** (a) A cremated remains disposer who stores cremated remains or hydrolyzed human remains in a reckless manner that results in either of the following is guilty of a public offense punishable by imprisonment in a county jail not exceeding one year or by a fine not to exceed five thousand dollars (\$5,000), or by both that fine and imprisonment:

- (1) Loss of all or part of the cremated remains or hydrolyzed human remains.
- (2) Inability to individually identify the cremated remains or hydrolyzed human remains.

(b) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

*(Amended by Stats. 2022, Ch. 399, Sec. 22. (AB 351) Effective January 1, 2023. Repealed as of January 1, 2027, by its own provisions. See later operative version added by Sec. 23 of Stats. 2022, Ch. 399.)*

**7673.1.** (a) A cremated remains disposer who stores cremated, reduced, or hydrolyzed human remains in a reckless manner that results in either of the following is guilty of a public offense punishable by imprisonment in a county jail not exceeding one year or by a fine not to exceed five thousand dollars (\$5,000), or by both that fine and imprisonment:

- (1) Loss of all or part of the human remains.
- (2) Inability to individually identify the human remains.

(b) This section shall become operative on January 1, 2027.

*(Repealed (in Sec. 22) and added by Stats. 2022, Ch. 399, Sec. 23. (AB 351) Effective January 1, 2023. Operative January 1, 2027, by its own provisions.)*

**7673.2.** A cremated remains disposer shall be subject to and shall be disciplined by the bureau in accordance with Article 6 (commencing with Section 7686). Any violation of this article shall also be grounds for disciplinary action.

*(Added by Stats. 2015, Ch. 395, Sec. 20. (AB 180) Effective January 1, 2016.)*