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HEALTH AND SAFETY CODE - HSC

DIVISION 8. CEMETERIES [8100 - 9703] (*Division 8 enacted by Stats. 1939, Ch. 60.*)

PART 3. PRIVATE CEMETERIES [8250 - 8829] (*Part 3 enacted by Stats. 1939, Ch. 60.*)

CHAPTER 2. Operation and Management [8275 - 8396] (*Chapter 2 enacted by Stats. 1939, Ch. 60.*)

ARTICLE 8. Hydrolysis Facilities [8370 - 8382] (*Article 8 added by Stats. 2017, Ch. 846, Sec. 69.*)

8370. All hydrolyzed human remains not disposed of in accordance with this chapter, within one year, shall be interred.

(*Added by Stats. 2017, Ch. 846, Sec. 69. (AB 967) Effective January 1, 2018. Section operative July 1, 2020, pursuant to Sec. 8382.*)

8372. A hydrolysis facility shall not make or enforce any rules requiring that human remains be placed in a casket before hydrolysis or that human remains be hydrolyzed in a casket, nor shall a hydrolysis facility refuse to accept human remains for hydrolysis for the reason that they are not in a casket. Every director, officer, agent, or representative of a hydrolysis facility who violates this section is guilty of a misdemeanor. Nothing in this section shall be construed to prohibit the requiring of some type of container or disposal unit, as specified in Section 7006.6.

(*Added by Stats. 2017, Ch. 846, Sec. 69. (AB 967) Effective January 1, 2018. Section operative July 1, 2020, pursuant to Sec. 8382.*)

8374. (a) A hydrolysis facility shall maintain on its premises, or other business location within the state, an accurate record of all hydrolyses performed, including all of the following information:

- (1) Name of the referring funeral director, if any.
- (2) Name of the deceased.
- (3) Date of the hydrolysis.
- (4) Name of the hydrolysis chamber operator.
- (5) Disposition of the hydrolyzed human remains.
- (6) Time and date that the body was inserted into the hydrolysis chamber.
- (7) Time and date that the body was removed from the hydrolysis chamber.
- (8) Time and date that final processing of the hydrolyzed human remains was complete.
- (9) Name and address of the authorizing agent.
- (10) Identification number assigned to the deceased, pursuant to Section 8376.
- (11) A photocopy of the disposition permit filed in connection with the disposition.
- (12) Any documentation of compliance with appropriate environmental and safety laws.
- (13) Body mass of the deceased, along with temperature, time duration, and pressure at which the hydrolysis was performed.

(b) A hydrolysis facility shall maintain on its premises, or other business location within the state, records of the maintenance performed on the hydrolysis chamber.

(c) Information described in this section shall be maintained for at least 10 years after the hydrolysis is performed and shall be subject to inspection by the Cemetery and Funeral Bureau.

(Added by Stats. 2017, Ch. 846, Sec. 69. (AB 967) Effective January 1, 2018. Section operative July 1, 2020, pursuant to Sec. 8382.)

8376. (a) A hydrolysis facility shall maintain an identification system allowing identification of each decedent beginning from the time the hydrolysis facility accepts delivery of human remains until the point at which it releases the hydrolyzed human remains to a third party. After hydrolysis, an identifying disk, tab, or other permanent label shall be placed with the urn or hydrolyzed human remains container before the hydrolyzed human remains are released from the hydrolysis facility. Each identification disk, tab, or label shall contain the license number of the hydrolysis facility and shall have a unique number that shall be recorded on all documents regarding the decedent and in the hydrolysis log. Each hydrolysis facility shall maintain a written procedure for identification of remains. The identification requirements pertaining to an identifying disk, tab, or other label to be placed within the urn or hydrolyzed human remains container shall not apply to hydrolyzed human remains placed in a keepsake urn pursuant to subdivision (b) of Section 7054.6 if space does not permit.

(b) A hydrolysis facility that fails, when requested by an official of the Cemetery and Funeral Bureau, to produce a written procedure for identification of remains shall have 15 working days from the time of the request to produce an identification procedure for review by the chief of the Cemetery and Funeral Bureau. The license of the hydrolysis facility shall be suspended pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, if no identification procedure is produced for review after 15 working days have elapsed.

(Added by Stats. 2017, Ch. 846, Sec. 69. (AB 967) Effective January 1, 2018. Section operative July 1, 2020, pursuant to Sec. 8382.)

8378. Within two hours after a licensed hydrolysis facility takes custody of a body that has not been embalmed, it shall refrigerate the body at a temperature not greater than 50 degrees Fahrenheit, unless the hydrolysis process will begin within 24 hours of the time that the hydrolysis facility took custody.

(Added by Stats. 2017, Ch. 846, Sec. 69. (AB 967) Effective January 1, 2018. Section operative July 1, 2020, pursuant to Sec. 8382.)

8380. (a) The hydrolysis facility licensee, or its authorized representatives, shall provide instruction to all hydrolysis facility personnel involved in the hydrolysis process. This instruction shall lead to a demonstrated knowledge on the part of an employee regarding identification procedures used during hydrolysis, operation of the hydrolysis chamber and processing equipment, safe work practices and procedures for the handling of corrosive materials, and all laws relevant to the handling of a body and hydrolyzed human remains. This instruction shall be outlined in a written plan maintained by the hydrolysis facility licensee for inspection and comment by an inspector of the Cemetery and Funeral Bureau.

(b) No employee shall be allowed to operate any hydrolysis equipment until the employee has demonstrated to the certified manager of a licensed hydrolysis facility or authorized representative of the licensee that the employee understands the procedures required to ensure that health and safety conditions are maintained at the hydrolysis facility and that hydrolyzed human remains are not commingled other than for acceptable residue, as defined. The hydrolysis facility licensee shall maintain a record to document that an employee has received the training specified in this section.

(c) A hydrolysis facility that fails, when requested by an official of the bureau, to produce a written employee instruction plan or record of employee training for inspection shall have 15 working days from the time of the request to produce a plan or training record for review by the chief of the Cemetery and Funeral Bureau. The license of a hydrolysis facility shall be suspended, pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, if no plan or training record is produced for review after 15 working days have elapsed.

(Added by Stats. 2017, Ch. 846, Sec. 69. (AB 967) Effective January 1, 2018. Section operative July 1, 2020, pursuant to Sec. 8382.)

8382. This article shall become operative on July 1, 2020.

(Added by Stats. 2017, Ch. 846, Sec. 69. (AB 967) Effective January 1, 2018. Section operative July 1, 2020, pursuant to Sec. 8382. Note: Operative date affects Article 8, commencing with Section 8370.)