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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 9. Reduction Facilities [8390 - 8396]** ( Article 9 added by Stats. 2022, Ch. 399, Sec. 45. )

**8390.** All reduced human remains not disposed of in accordance with this chapter shall be disposed of pursuant to Section 7714.4 of the Business and Professions Code.

(Added by Stats. 2022, Ch. 399, Sec. 45. (AB 351) Effective January 1, 2023. Operative January 1, 2027, pursuant to Sec. 8396.)

**8391.** A reduction facility shall not make or enforce rules requiring that human remains be placed in a casket before reduction, nor shall a reduction facility refuse to accept human remains for reduction for the reason that they are not in a casket. A director, officer, agent, or representative of a reduction facility who violates this section is guilty of a misdemeanor. This section does not prohibit a facility from requiring some type of container or disposal unit.

(Added by Stats. 2022, Ch. 399, Sec. 45. (AB 351) Effective January 1, 2023. Operative January 1, 2027, pursuant to Sec. 8396.)

**8392.** (a) A reduction facility shall maintain on its premises, or other business location within the state, an accurate record of all reductions 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 reduction.
- (4) Disposition of the reduced human remains, including split disposition where a portion of the remains are returned to the person entitled to control the disposition of the remains and a portion integrated into the soil in a conservation area pursuant to Section 7054.5.
- (5) Time and date that the body was inserted into the reduction chamber.
- (6) Time and date that the body was removed from the reduction chamber.
- (7) Time and date that final processing of the reduced human remains was complete.
- (8) Name and address of the authorizing agent.
- (9) Identification number assigned to the deceased, pursuant to Section 8393.
- (10) A photocopy of the disposition permit filed in connection with the disposition.
- (11) Any documentation of compliance with appropriate environmental and safety laws.

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

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

*(Added by Stats. 2022, Ch. 399, Sec. 45. (AB 351) Effective January 1, 2023. Operative January 1, 2027, pursuant to Sec. 8396.)*

**8393.** (a) A reduction facility shall maintain an identification system allowing identification of each decedent beginning from the time the reduction facility accepts delivery of human remains until the point at which it releases the reduced human remains to a third party. After reduction, an identifying disk, tab, or other permanent label shall be placed with the reduced human remains container or containers before the reduced human remains are released from the licensed reduction facility. Each identification disk, tab, or label shall contain the license number of the reduction facility and shall have a unique number that shall be recorded on all documents regarding the decedent and in the reduction log. Each reduction facility shall maintain a written procedure for identification of remains.

(b) A reduction 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 reduction 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. 2022, Ch. 399, Sec. 45. (AB 351) Effective January 1, 2023. Operative January 1, 2027, pursuant to Sec. 8396.)*

**8394.** Within two hours after a reduction 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 reduction process will begin within 24 hours of the time that the facility took custody.

*(Added by Stats. 2022, Ch. 399, Sec. 45. (AB 351) Effective January 1, 2023. Operative January 1, 2027, pursuant to Sec. 8396.)*

**8395.** (a) The reduction facility licensee, or its authorized representatives, shall provide instruction to all facility personnel involved in the reduction process. This instruction shall lead to a demonstrated knowledge on the part of an employee regarding identification procedures used during reduction, operation of the reduction chamber and related equipment, and all laws relevant to the handling of a body and reduced human remains. This instruction shall be outlined in a written plan maintained by the reduction facility licensee for inspection and comment by an inspector of the Cemetery and Funeral Bureau.

(b) An employee shall not be allowed to operate a reduction chamber or related equipment until the employee has demonstrated to the certified manager of the reduction 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 reduction facility and that reduced human remains are not commingled other than as authorized by law. The reduction facility licensee shall maintain a record to document that an employee has received the training specified in this section.

(c) A reduction 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 bureau. The license of a reduction 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. 2022, Ch. 399, Sec. 45. (AB 351) Effective January 1, 2023. Operative January 1, 2027, pursuant to Sec. 8396.)*

**8396.** This article shall become operative on January 1, 2027.

*(Added by Stats. 2022, Ch. 399, Sec. 45. (AB 351) Effective January 1, 2023.)*