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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3490

02/12/2024 Authored by Becker-Finn, Stephenson, Curran, Jordan, Elkins and others
The bill was read for the first time and referred to the Committee on Commerce Finance and Policy
02/22/2024 Adoption of Report: Re-referred to the Committee on Public Safety Finance and Policy
03/07/2024 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act
1.2 relating to public safety; prohibiting the sale of calcified human remains;
1.3 establishing a felony offense; proposing coding for new law in Minnesota Statutes,
1.4 chapter 609.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. 609.84 SALE OF CALCIFIED HUMAN REMAINS.

1.7 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.8 the meanings given.

1.9 (b) "Human remains" means the calcified portion of a dead human body, not including
1.10 isolated teeth; the cremated remains of a dead human body deposited in a container or
1.11 discrete feature; or the hydrolyzed remains of a dead human body deposited in a container
1.12 or discrete feature.

1.13 (c) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1,
1.14 paragraph (f).

1.15 (d) "Local organization for emergency management" has the meaning given in section
1.16 12.03, subdivision 6.

1.17 (e) "Search and rescue unit" means an organization, team, or individual authorized by
1.18 the state or federal government, a Tribal government, or by a county, city, town, or a
1.19 metropolitan airports commission organized and existing under sections 473.601 to 473.679
1.20 whose mission is to locate lost, missing, or trapped persons, victims of natural or other
1.21 disasters, and human bodies.

2.1 Subd. 2. Sale of calcified human remains prohibited; donation and
2.2 reimbursement. (a) Except as provided in paragraph (b), a person is prohibited from selling
2.3 calcified human remains or offering calcified human remains for sale.

2.4 (b) Paragraph (a) shall not be construed to limit the donation of human remains:

2.5 (1) to a licensed health care provider, an individual employed by or under contract with
2.6 a licensed health care provider, a public or private postsecondary educational institution,
2.7 or an individual employed by or under contract with a public or private postsecondary
2.8 educational institution, for legitimate medical or scientific purposes or for educational
2.9 purposes; or

2.10 (2) to a law enforcement agency, search and rescue unit, or local organization for
2.11 emergency management to conduct search and rescue training or to train dogs to locate
2.12 dead human bodies.

2.13 (c) Paragraph (a) does not apply to the sale or offer for sale of human remains that is
2.14 incidental to the sale of real property, including undisturbed burial plots, cemeteries, crypts,
2.15 or other burial features.

2.16 (d) Nothing in this section shall be construed to prohibit a person from recovering
2.17 reasonable expenses for the processing, preservation, quality control, storage, and
2.18 transportation, or final disposition of human remains for the legitimate purposes as described
2.19 in this section.

2.20 Subd. 3. Penalty. A person who violates this section is guilty of a felony.

2.21 EFFECTIVE DATE. This section is effective the day following final enactment and
2.22 applies to crimes committed on or after that date.