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H.584

Introduced by Representatives Yantachka of Charlotte and McCullough of

Williston

Referred to Committee on

Date:

Subject: Health; cemeteries; disposition of remains of dead

Statement of purpose: This bill proposes to allow a person to designate his or
her property for use as a natural burial ground.

An act relating to green burials

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 18 V.S.A. § 5302 is amended to read:

§ 5302. DEFINITIONS

For the purposes of this chapter and unless otherwise required by the
context:

(1) “Agencies” mean town cemeteries, religious or ecclesiastical society
cemeteries, cemetery associations, and any person, firm, corporation, or
unincorporated association heretofore engaged in the business of a cemetery;

(2) “Cemetery” means any plot of ground used, or intended to be used,
for the burial or disposition permanently of the remains of the human dead in a
grave, a mausoleum, a columbarium, a vault, or other receptacle;

1 (3) “Cemetery association” means any corporation now or hereafter
2 organized which is or shall be authorized by its articles to conduct the business
3 of a cemetery;

4 (4) “Columbarium” means a structure or room or other space in a
5 building or structure of durable and lasting fireproof construction, containing
6 niches, used, or intended to be used, to contain cremated human remains;

7 (5) “Community mausoleum” means a structure or building of durable
8 and lasting construction, used or intended to be used, for the permanent
9 disposition in crypts or spaces therein of the remains of deceased persons,
10 provided such crypts or spaces and their use for the purposes aforesaid, are
11 available to or may be obtained by individuals or the public for a price in
12 money or its equivalent;

13 (6) “Cremated remains” means remains of a deceased person after
14 incineration in a crematory;

15 (7) “Cremation” means the reducing of the remains of deceased persons,
16 by the use of retorts, to cremated remains and the disposal thereof in a
17 columbarium, niche, mausoleum, grave, or in any other manner not contrary to
18 law;

19 (8) “Crematory” means a building or structure containing one or more
20 retorts, used or intended to be used, for the reducing of the bodies of deceased
21 persons to cremated remains;

1 (9) “Crypt” means the chamber in a mausoleum of sufficient size to
2 contain the remains of deceased persons;

3 (10) “Natural burial ground” means land designated for use in the burial
4 of human remains in a manner that permits the remains to naturally return to
5 the earth and reduces the use of chemicals ordinarily associated with the burial
6 of human remains.

7 (11) “Niche” means a recess in a columbarium, used, or intended to be
8 used, for the permanent disposition of the cremated remains of one or more
9 deceased persons; and

10 (12) “Temporary receiving vault” means a vault, or crypt, in a structure
11 of durable and lasting construction, used or intended to be used for the
12 temporary deposit therein for a period of time not exceeding one year of the
13 remains of a deceased person.

14 Sec. 2. 18 V.S.A. § 5319 is amended to read:

15 § 5319. DISPOSITION OF REMAINS OF DEAD

16 (a) The permanent disposition of the remains of the human dead shall be by
17 interment in the earth or deposit in a chamber, vault, or tomb formed wholly or
18 partly above the surface of the ground of a cemetery conducted and maintained
19 pursuant to the laws of the state, by burial on land designated by a person as a
20 natural burial ground and so recorded in the land records, by deposit in a crypt
21 of a mausoleum, or by cremation. However, this shall not be construed to

1 prevent a private individual from setting aside a portion of his premises owned
2 in fee by him or her, and using the same as a burial space for the members of
3 his or her immediate family, so long as his or her use for such purpose is not in
4 violation of the health laws and regulations of the state and the town in which
5 such land is situated.

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