

1
2
3
4
5
6
7
8

9
10
11
12
13
14
15
16
17
18

H.83

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 of bill as introduced: This bill proposes to allow a
landowner 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~~ As used in this chapter unless otherwise
required by the context:

(1) “Agencies” ~~mean~~ means 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;

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

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

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

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

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

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

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

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

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

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

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

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

18 § 5319. DISPOSITION OF REMAINS OF DEAD

19 (a) The permanent disposition of the remains of the human dead shall be by
20 interment in the earth or deposit in a chamber, vault, or tomb formed wholly or
21 partly above the surface of the ground of a cemetery conducted and maintained

1 pursuant to the laws of the state, by burial on land designated by the landowner
2 as a natural burial ground and so recorded in the land records, by deposit in a
3 crypt of a mausoleum, or by cremation. However, this shall not be construed
4 to prevent a private individual from setting aside a portion of his or her
5 premises owned in fee by him or her, and using the same as a burial space for
6 the members of his or her immediate family, so long as his or her use for such
7 purpose is not in violation of the health laws and regulations of the ~~state~~ State
8 and the town in which such land is situated.

9 * * *

10 Sec. 3. EFFECTIVE DATE

11 This act shall take effect on July 1, 2013.