

Senate Judiciary Committee

Brendan Bunnell 271-4063

HB 1457-FN, relative to natural organic reduction of human remains.

Hearing Date: April 7, 2026

Time Opened: 3:37 p.m.

Time Closed: 4:05 p.m.

Members of the Committee Present: Senators Gannon, Abbas, Altschiller and Reardon

Members of the Committee Absent: Senator Carson

Bill Analysis: This bill allows for the natural organic reduction of human remains and provides for regulation of the practice.

Sponsors:

Rep. LaMontagne
Sen. Watters

Rep. Darby
Sen. Innis

Rep. Knab
Sen. Murphy

Who supports the bill: Representative Jessica Montagne, Representative Daniel Popovici-Muller, Mike Vlacich, Senator Daniel Innis, Peter Morin, Aaron Spiritos, David E. Bryant, Julie Thibault, Representative Jonah Orion Wheeler, Representative Henry Giasson, Representative Allison Knab, Cory Stone, Kathryn Brown, and Susan Dunker.

Who opposes the bill: Bob Dunn

Who is neutral on the bill: None.

Summary of the testimony presented:

Representative Jessica Montagne introduced the bill, explaining that natural organic reduction is an environmentally friendly alternative to conventional burial or cremation.

- Explained that she had first introduced legislation of this kind two years ago, and that she has had an ongoing interest in natural burial and other alternatives.
- Explained that conventional burials use up a lot of space, and particularly near the center of our cities and towns where land is becoming scarce.

- Stated that she is a member of the Dover cemetery board and that while she loves old cemeteries she does not love the modern cemetery, which she argued is “a honeycomb of concrete vaults buried under a very shallow layer of turf designed more for riding a lawnmower than for a spiritual sendoff.”
- Stated that many families are now scattered across the country and the world, and that we don’t visit the graves of our parents and grandparents like other generations did. The representative stated that most New Hampshire residents choose cremation, perhaps for that reason.
- Explained that natural organic reduction is the composting of human remains, and an alternative to both burial and cremation which use a lot of fossil fuels and create particular air pollution.
- Explained that this process was the same as if a body was buried underground but that it was a significantly accelerated process where organic matter is added like straw. Like with a cremation, naturally reduced remains can be taken home by families but can also be used to plant a tree in your backyard or be donated to land conservation or reforestation projects in a contractual agreement with the natural organic reduction operator.
- Explained that the bill included the licensing, building, and location requirements and oversight. Much of the bill is modeled after the cremation chapter in the current statute, ensuring that procedures for accurate recordkeeping, chain of custody of the deceased person, medical examination and other oversights are clear and appropriately regulated.
- Explained that the bill would also authorize the establishment of rules by the Office of Professional Licensure and Certification regarding public health sanitation standards and inspection procedures. These rules could be built upon the successful seven years of operation in other states and improved upon.
- Explained that 14 states, including some of those in New England, have authorized natural organic reduction, though for most that process is still in rule-making.
- Stated that this bill was more advanced than those passed in other states because the research had already been done on how this process would be overseen in the state.
- Explained that existing New Hampshire funeral homes could establish themselves as natural organic operators or partner with operators, just as many homes operate crematoriums.

- Stated that this legislation would only enable the option to engage with this practice without presenting any mandates.
- Stated that if New Hampshire did not operate natural organic reduction facilities, residents who really want this would have to go to a facility out of state, causing more paperwork and expense for their survivors.
- Explained that the bill had been titled the “Live Free and Die Free Act,” as it was the representative’s belief that Granite Staters ought to have all the options available to them about what happens to their body when they pass away.

Bob Dunn, the Director of Public Policy for the Roman Catholic Diocese of Manchester, spoke against the bill on behalf of Bishop Peter Labasci. He stated that he was not here to suggest that the state do or not do anything because of the teachings of the Catholic Church, but that the human body has inherent dignity and that the various laws that pertain to the disposal of human remains were written with the idea that human bodies are entitled to respect. He argued that this flowed as a consequence of the dignity which that person had in life.

- Stated that the way we treat the bodies of the dead has some impact on the way that we look at living people.
- Stated that the view of the Diocese was that this practice would not be consistent with human dignity especially as connected to the practice of human composting.
- Cautioned against treating human remains in an overtly utilitarian way, as it could present the message that human beings can be treated in a utilitarian way as well.
- Argued that we should be attentive to ensuring that we promote human dignity in an era where many challenges are presented against that concept.
- Explained that a very similar bill from last year, Senate Bill 53, had been sent to interim study in January by the Senate.
- Senator Altschiller asked whether the inherent dignity of a human being would be found in the choice that a human might choose what to do with their body after their passing, whether that were by donating their body to science, cremation, or natural organic reduction. The Senator expressed her understanding that the Diocese had an interest in the property it owns for cemeteries.
 - Mr. Dunn answered that not all exercises of individual choice or individual autonomy are consistent with human dignity. He pointed out that the RSAs of New Hampshire are filled with provisions where the

state has decided that the common good outweighs the exercise of individual choice in certain circumstances.

- o Stated that cremation was considered dignified by the church, and that the donation of a body towards scientific pursuits enhanced the public good.
- o Argued that this was different from cremation on the basis of the volume of remains produced and in the fact that it was used for utilitarian purposes.

Mike Vlacich spoke in support of the bill on behalf of Earth Funeral, a funeral home provider. He reiterated that this legislation had been worked on in concert with the New Hampshire Department of Environmental Services and that their feedback had been incorporated into the bill.

- Explained that the amendment which was to be introduced worked off of the suggestions of the OPLC as well as to conform with New Hampshire law.
- Explained that 80% of burials in New Hampshire were cremations, and that he could remember the same conversation as a devout Catholic around that practice.

Peter Morin, the Executive Director of the New Hampshire Funeral Directors Association and Wellness Association, spoke in support of the amendment to the bill. He explained that they had gone through the bill line by line and corrected areas that were previously in error.

- Explained that the amendment to the bill would make sure that there are no fees amounts in the statute as those are subject to change based on the department offering them. He also stated that the medical examiner's fees should not be placed in the statute because it's an issue for rule-making and not the legislature to modify each time.
- Pointed out a section in the bill which specified the procedure around excess materials and bones, and a case where the pulverized bones might be returned to the family. He pointed this out in the belief that it was not consistent with the original intention of the sponsors of the bill.
- Explained that 13 states have legalized natural organic production and some as long ago as 2019, but only three of these states have such facilities in them. Some of the other states have been shipping bodies via air travel to facilities on the west coast to begin this process, potentially adding a lot to the overall expense of this process for families.

- Senator Reardon asked if they had worked with OPLC and the sponsor on this amendment.
 - Mr. Morin answered that they had struggled to due to scheduling and had ultimately been unable to work with them directly.
 - Stated that while there is a certain latitude with rulemaking, the inclusion of specific numbers in the statute can make that difficult.
- Senator Reardon stated that this version should be discussed further alongside the version being presented by the sponsor and the OPLC.

Representative Allison Knabb spoke in support of the bill, explaining that much of the language in the bill was the same as in the case of cremation. She stated that the bill had been made in consultation with experts in this space, and that those who work in natural organic reduction care as deeply as funeral directors about how human bodies are handled after our deaths.

- Explained that many choose to do this not due to any environmental concern but because of a connection they feel to their land. Many who have a back 40 want to become part of their back 40 again after their passing. She stated that this should resonate clearly with residents of New Hampshire who are very connected to their land.

Deanna Jurius, Executive Director at the New Hampshire Office of Professional Licensure and Certification, explained that there was an amendment to the bill from Senator Reardon, as explained previously by the prime sponsor.

- Explained that the original language of the bill was nearly inoperable for the office, and that there were many conflicts within the existing statute. She explained that she had provided recommendations for the creation of this amendment how to make the process operationally functional.
- Explained that the policy in the state is to go with the statute while rule-making is incomplete, as that can be a very long process.