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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3490

02/12/2024 Authored by Becker-Finn, Stephenson, Curran, Jordan and Elkins
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

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

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

1.6 Section 1. [609.84] SALE OF HUMAN REMAINS FOR COMMERCIAL PURPOSES.

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 human remains for commercial purposes prohibited; exceptions. (a)  
2.2 Except as provided in paragraph (b), a person is prohibited from selling human remains or  
2.3 offering human remains for sale for commercial purposes.

2.4 (b) Paragraph (a) does not apply to a sale or offer for sale 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;

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; or

2.13 (3) that is incidental to the sale of real property, including undisturbed burial plots,  
2.14 cemeteries, crypts, or other burial features.

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

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