

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 1054

FISCAL
NOTE

By Senator Woodrum

[Introduced February 21, 2026; referred
to the Committee on Health and Human Resources;
and then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
 2 designated §16-5EE-1, §16-5EE-2, §16-5EE-3, §16-5EE-4, §16-5EE-5, §16-5EE-6, §16-
 3 5EE-7, §16-5EE-8, §16-5EE-9, §16-5EE-10, §16-5EE-11, and §16-5EE-12, relating to the
 4 final disposition of human remains; providing a short title; providing legislative findings and
 5 purpose; providing definitions; authorizing natural organic reduction; providing regulatory
 6 authority; clarifying licensing and exclusions; establishing standards; authorizing
 7 rulemaking; and providing severability.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5EE. WEST VIRGINIA NATURAL ORGANIC REDUCTION ACT.

§16-5EE-1. Short title.

1 This article may be cited as the " Natural Organic Reduction Act."

§16-5EE-2. Legislative findings and purpose.

1 (a) The Legislature finds that:

2 (1) The state has a legitimate interest in ensuring lawful, sanitary, and dignified methods of
 3 final disposition of human remains;

4 (2) Natural Organic Reduction is a scientifically recognized method of disposition involving
 5 controlled biological processes distinct from burial, cremation, and embalming;

6 (3) Natural Organic Reduction does not involve chemical preservation, cosmetic
 7 preparation, or invasive treatment of human remains;

8 (4) Public health oversight of facilities and processes is sufficient to protect the public
 9 without requiring professional funeral licensure; and

10 (5) Consumers, families, and religious communities have a legitimate interest in lawful
 11 disposition options consistent with personal, environmental, and faith-based beliefs.

12 (b) This act establishes Natural Organic Reduction as a lawful method of disposition in
 13 West Virginia, regulates facilities and processes for public health and safety, and clearly
 14 delineates regulatory authority.

§16-5EE-3. Definitions.

1 For the purpose of this article:

2 "Natural Organic Reduction" or "NOR" means a method of final disposition in which human
3 remains are transformed through a controlled, accelerated, aerobic biological process into soil or
4 soil-like material.

5 "NOR Facility" means a fixed, permitted location where natural organic reduction is
6 conducted in accordance with this article.

7 "NOR Operator" means a person or entity that owns or operates an NOR facility.

8 "Final disposition" means the lawful handling of human remains after death, including
9 burial, cremation, natural organic reduction, or other methods authorized by law.

10 "Human remains" has the same meaning as provided under §29-1-8A(b)(1) of this code.

§16-5EE-4. Authorization of natural organic reduction.

1 (a) Natural Organic Reduction is hereby authorized as a lawful method of final disposition
2 in this state.

3 (b) Natural Organic Reduction may only be performed at a permitted NOR Facility in
4 compliance with this article.

5 (c) No person may perform Natural Organic Reduction except as authorized under this
6 article.

§16-5EE-5. _____ Regulatory _____ authority.

1 (a) The Department of Health shall have exclusive authority to regulate Natural Organic
2 Reduction under this article.

3 (b) Regulatory authority shall be limited to:

4 (1) Facility sanitation and safety standards;

5 (2) Process controls necessary to ensure pathogen reduction;

6 (3) Recordkeeping and chain-of-custody requirements; and

7 (4) Final disposition documentation consistent with vital records law.

8 (c) The Board of Funeral Service shall have no authority to regulate, license, discipline,
9 approve, or oversee Natural Organic Reduction, NOR Facilities, or NOR Operators under this
10 article.

§16-5EE-6. Licensing and professional exclusions.

1 (a) An NOR Operator is not required to hold a funeral director or embalmer license solely to
2 operate an NOR Facility or perform Natural Organic Reduction.

3 (b) Nothing in this article authorizes an NOR Operator to:

4 (1) Embalm or chemically preserve human remains;

5 (2) Perform cosmetic or restorative preparation;

6 (3) Hold themselves out as a funeral director or funeral establishment; and

7 (4) Offer or advertise funeral services requiring licensure under other provisions of state
8 law.

9 (c) Any person engaging in activities requiring licensure under other provisions of law must
10 comply with those requirements.

§16-5EE-7. Facility permitting standards.

1 (a) The Department of Health shall establish minimum standards for NOR Facility permits,
2 including:

3 (1) Structural integrity and secure containment;

4 (2) Process monitoring sufficient to ensure biological safety;

5 (3) Sanitation and odor control; and

6 (4) Procedures for handling, curing, and release of soil resulting from Natural Organic
7 Reduction.

8 (b) Regulations shall be limited to public health and safety and shall not impose
9 requirements unrelated to biological processing.

§16-5EE-8. Handling and use of resulting material.

1 (a) Material resulting from Natural Organic Reduction shall not be classified as waste.

- 2 (b) Resulting material may be:
- 3 (1) Returned to the decedent’s family;
- 4 (2) Used for memorial purposes; or
- 5 (3) Placed in locations permitted by law.
- 6 (c) Sale of resulting material is prohibited.

§16-5EE-9. Death certification and records.

- 1 (a) Natural Organic Reduction does not alter existing requirements for death certification,
- 2 medical examiner review, or registration of death.
- 3 (b) NOR Facilities shall maintain records sufficient to demonstrate lawful disposition.

§16-5EE-10. Preemption and conflict resolution.

- 1 (a) Notwithstanding any other provision of this code, Natural Organic Reduction is
- 2 governed exclusively by this article.
- 3 (b) To the extent of any conflict between this article and any other provision of state law,
- 4 this article shall control.

§16-5EE-11. Rulemaking.

- 1 This Department of Health may propose rules for legislative approval in accordance with
- 2 the provisions of §29A-3-1 et seq. of this code to implement the provisions of this article,
- 3 consistent with the limitations set forth herein.

§16-5EE-12. Severability.

- 1 If any provision of this article is held invalid, the invalidity does not affect other provisions or
- 2 applications of the article.

NOTE: The purpose of this bill is to establish Natural Organic Reduction as a lawful method of disposition in West Virginia.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.