

**Chapter 68.04 RCW
DEFINITIONS**

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RCW 68.04.005 Application. The definitions in this chapter apply throughout this title unless the context clearly requires otherwise. [2019 c 432 s 1.]

Effective date—2019 c 432: See note following RCW 68.05.175.

RCW 68.04.020 "Human remains," "remains." "Human remains" or "remains" means the body of a deceased person, including remains following the process of cremation, alkaline hydrolysis, or natural organic reduction. This also includes the body in any stage of decomposition. [2019 c 432 s 2; 2005 c 365 s 27; 1977 c 47 s 1; 1943 c 247 s 2; Rem. Supp. 1943 s 3778-2.]

Effective date—2019 c 432: See note following RCW 68.05.175.

Short title—1943 c 247: "This act shall be known as the 'General Cemetery Act.'" [1943 c 247 s 1.]

Severability—1943 c 247: "If any section, subdivision, sentence or clause of this act shall be held invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this act." [1943 c 247 s 147.]

The annotations apply to 1943 c 247, the general cemetery act, which was codified as RCW 68.04.020 through 68.04.240, 68.08.010 through 68.08.030, 68.08.120 through 68.08.220, 68.08.240, 68.20.010 through 68.20.100, 68.24.010 through 68.24.180, 68.28.010 through 68.28.070, 68.32.010 through 68.32.170, 68.36.010 through 68.36.100, 68.40.010 through 68.40.090, 68.44.010 through 68.44.170, and 68.48.040 through 68.48.090.

RCW 68.04.030 "Cremated human remains." "Cremated human remains" means the end products of cremation. [2005 c 365 s 28; 1977 c 47 s 2; 1943 c 247 s 3; Rem. Supp. 1943 s 3778-3.]

RCW 68.04.040 "Cemetery." "Cemetery" means: (1) Any one, or a combination of more than one, of the following, in a place used, or intended to be used for the placement of human remains and dedicated, for cemetery purposes:

- (a) A burial park, for earth interments.
- (b) A mausoleum, for crypt interments.
- (c) A columbarium, for permanent niche interments; or

(2) For the purposes of chapter 68.60 RCW only, "cemetery" means any burial site, burial grounds, or place where five or more human remains are buried. Unless a cemetery is designated as a parcel of land identifiable and unique as a cemetery within the records of the county assessor, a cemetery's boundaries shall be a minimum of ten feet in any direction from any burials therein. [2005 c 365 s 29; 1990 c 92 s 7; 1979 c 21 s 1; 1943 c 247 s 4; Rem. Supp. s 3778-4.]

RCW 68.04.050 "Burial park." "Burial park" means a tract of land for the burial of human remains in the ground, used or intended to be used, and dedicated, for cemetery purposes. [1943 c 247 s 5; Rem. Supp. 1943 s 3778-5.]

RCW 68.04.060 "Mausoleum." "Mausoleum" means a structure or building for the entombment of human remains in crypts in a place used, or intended to be used, and dedicated, for cemetery purposes. [1979 c 21 s 2; 1943 c 247 s 6; Rem. Supp. 1943 s 3778-6.]

RCW 68.04.070 "Crematory." "Crematory" means a building or area of a building that houses one or more cremation chambers, to be used for the cremation of human remains. [2005 c 365 s 30; 1943 c 247 s 7; Rem. Supp. 1943 s 3778-7.]

RCW 68.04.080 "Columbarium." "Columbarium" means a structure, room, or other space in a building or structure containing niches for permanent placement of human remains in a place used, or intended to

be used, and dedicated, for cemetery purposes. [2019 c 432 s 5; 2005 c 365 s 31; 1943 c 247 s 8; Rem. Supp. 1943 s 3778-8.]

Effective date—2019 c 432: See note following RCW 68.05.175.

RCW 68.04.100 "Interment." "Interment" means the placement of human remains in a cemetery. [2005 c 365 s 32; 1943 c 247 s 10; Rem. Supp. 1943 s 3778-10.]

RCW 68.04.110 "Cremation." "Cremation" means the reduction of human remains to bone fragments in a crematory by means of incineration. [2005 c 365 s 33; 1987 c 331 s 1; 1977 c 47 s 3; 1943 c 247 s 11; Rem. Supp. 1943 s 3778-11.]

Effective date—1987 c 331: See RCW 68.05.900.

RCW 68.04.120 "Inurnment." "Inurnment" means placing human remains in a cemetery. [2019 c 432 s 6; 2005 c 365 s 34; 1943 c 247 s 12; Rem. Supp. 1943 s 3778-12.]

Effective date—2019 c 432: See note following RCW 68.05.175.

RCW 68.04.130 "Entombment." "Entombment" means the placement of human remains in a crypt. [2005 c 365 s 35; 1943 c 247 s 13; Rem. Supp. 1943 s 3778-13.]

RCW 68.04.140 "Burial." "Burial" means the placement of human remains in a grave. [1943 c 247 s 14; Rem. Supp. 1943 s 3778-14.]

RCW 68.04.150 "Grave." "Grave" means a space of ground in a burial park, used or intended to be used, for burial. [1943 c 247 s 15; Rem. Supp. 1943 s 3778-15.]

RCW 68.04.160 "Crypt." "Crypt" means a space in a mausoleum for the placement of human remains. [2005 c 365 s 36; 1979 c 21 s 3; 1943 c 247 s 16; Rem. Supp. 1943 s 3778-16.]

RCW 68.04.165 "Outer burial container." "Outer burial container" means any container which is buried in the ground for the placement of human remains in the burial process. Outer burial containers include, but are not limited to vaults, lawn crypts, and liners. [2005 c 365 s 37; 1979 c 21 s 4.]

RCW 68.04.170 "Niche." "Niche" means a space in a columbarium for placement of human remains. [2019 c 432 s 9; 2005 c 365 s 38; 1943 c 247 s 17; Rem. Supp. 1943 s 3778-17.]

Effective date—2019 c 432: See note following RCW 68.05.175.

RCW 68.04.190 "Cemetery authority." "Cemetery authority" means an entity that has obtained a certificate of authority to operate a cemetery from the funeral and cemetery board, or any other entity that operates a cemetery that is not under the jurisdiction of the funeral and cemetery board. [2009 c 102 s 6; 2005 c 365 s 39; 1943 c 247 s 19; Rem. Supp. 1943 s 3778-19.]

Funeral directors and embalmers account and cemetery account abolished, moneys transferred to funeral and cemetery account—2009 c 102: See note following RCW 18.39.810.

RCW 68.04.210 "Cemetery business." "Cemetery business" includes establishing, maintaining, operating, and improving a cemetery for the placement of human remains, and the care and preservation of the cemetery property. [2005 c 365 s 40; 1943 c 247 s 21; Rem. Supp. 1943 s 3778-21.]

RCW 68.04.230 "Lot" or "plot." "Lot" or "plot" means space in a cemetery, used or intended to be used for the interment of human remains. [2005 c 365 s 41; 1943 c 247 s 23; Rem. Supp. 1943 s 3778-23.]

RCW 68.04.240 "Owner of interment rights." "Owner of interment rights" means any person who is listed as the owner of record of a right or rights of interment in the office of a cemetery authority. [2005 c 365 s 45; 1943 c 247 s 24; Rem. Supp. 1943 s 3778-24.]

RCW 68.04.250 "Interment right." "Interment right" means the right to inter human remains in a particular space in a cemetery. [2005 c 365 s 42.]

RCW 68.04.260 "Scattering garden." "Scattering garden" means a designated area in a cemetery for the scattering of human remains. [2019 c 432 s 10; 2005 c 365 s 43.]

Effective date—2019 c 432: See note following RCW 68.05.175.

RCW 68.04.270 "Scattering." "Scattering" means the removal of human remains from their container for the purpose of scattering the remains in any lawful manner. [2019 c 432 s 11; 2005 c 365 s 44.]

Effective date—2019 c 432: See note following RCW 68.05.175.

RCW 68.04.280 "Multiple interment." "Multiple interment" means two or more human remains are buried in the ground, in outer burial enclosures or chambers, placed one on top of another, with a ground

level surface the same size as a single grave or right of interment.
[2005 c 359 s 1.]

RCW 68.04.290 "Alkaline hydrolysis" or "hydrolysis." "Alkaline hydrolysis" or "hydrolysis" means the reduction of human remains to bone fragments and essential elements in a licensed hydrolysis facility using heat, pressure, water, and base chemical agents. [2019 c 432 s 3.]

Effective date—2019 c 432: See note following RCW 68.05.175.

RCW 68.04.300 "Hydrolysis facility." "Hydrolysis facility" means a structure, room, or other space in a building or structure containing one or more hydrolysis vessels, to be used for alkaline hydrolysis. [2019 c 432 s 4.]

Effective date—2019 c 432: See note following RCW 68.05.175.

RCW 68.04.310 "Natural organic reduction." "Natural organic reduction" means the contained, accelerated conversion of human remains to soil. [2019 c 432 s 7.]

Effective date—2019 c 432: See note following RCW 68.05.175.

RCW 68.04.320 "Natural organic reduction facility." "Natural organic reduction facility" means a structure, room, or other space in a building or real property where natural organic reduction of a human body occurs. [2019 c 432 s 8.]

Effective date—2019 c 432: See note following RCW 68.05.175.

RCW 68.04.900 Construction—Title applicable to state registered domestic partnerships—2009 c 521. For the purposes of this title, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement chapter 521, Laws of 2009, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships. [2009 c 521 s 148.]