

— FIELD GUIDE · THE LEGISLATURE

The State of State Legislation

Where human composting is legal, where aquamation is legal, and where the law is moving.

The legal landscape for ecological deathcare is changing faster than at any point in history. In 2019, Washington became the first state to legalise human composting; a few years later, fourteen states have followed. Aquamation, once available in a handful of states, is now legal in twenty-seven. This guide is a snapshot of where the law stands in 2026. It will need updating, and that is the point — the momentum is real, the direction is clear, and the only question is pace.

Human Composting: Fourteen States and Counting

Natural organic reduction is legal for commercial operation in fourteen states as of 2026.

STATE	YEAR	NOTE
Washington	2019	First in the world.
Colorado	2021	
Oregon	2021	Part of the Pacific Northwest cluster.
Vermont	2021	Small state, progressive on end-of-life policy.
California	2022	Largest population with legal NOR.
New York	2022	Major East Coast market.
Nevada	2023	
Arizona	2023	

Maryland	2023	
Delaware	2023	
Minnesota	2024	First Midwest state.
Maine	2024	Site of the first US mycelium-coffin burial, in 2025.
Georgia	2025	First Deep South state, breaking the geographic pattern.
New Jersey	2025	Serves the New York City metro market.

THE GEOGRAPHIC PATTERN

The first wave was overwhelmingly the progressive coasts and the Pacific Northwest. The second has been more geographically diverse — Nevada, Arizona, Maryland, Delaware, Minnesota, Maine, Georgia, New Jersey — suggesting the issue is moving beyond its initial base. The South remains the most resistant region, which is why Georgia’s 2025 legalisation was notable. Organised opposition from the Catholic Church has been a factor in several Southern and Midwestern states.

STATES WITH ACTIVE BILLS

Composting bills have been introduced or are moving in roughly fifteen more states. Northeast: Connecticut, Massachusetts, New Hampshire, Rhode Island, Pennsylvania. Midwest: Illinois, Indiana, Missouri, Ohio. South: Virginia. West: Hawaii, New Mexico, Utah. Other: Oklahoma, Texas. Their strength varies, and bills often need reintroducing across multiple sessions before passing; states with large populations and strong demand look like the most likely next legalisations.

Why Some States Resist

Catholic Church opposition. Bishops have formally opposed human composting, arguing it does not treat the body with the dignity Catholic teaching requires; this has been organised and effective in states with large Catholic populations. **Funeral-industry lobbying.** The traditional trade is split — some directors see composting as a complement, others as a threat, particularly because facilities can operate independently of existing funeral homes. **Cultural unfamiliarity.** Composting is an agricultural word, and applying it to human remains unsettles some legislators regardless of the science.

Aquamation: Twenty-Seven States, Uneven Access

Aquamation is legal in twenty-seven states, but legality and availability are different things.

STATE	LEGAL	PROVIDER OPERATING
Alabama	yes	yes
Arizona	yes	yes
California	yes	yes
Colorado	yes	yes
Connecticut	yes	yes
Florida	yes	yes
Georgia	yes	yes
Hawaii	yes	yes
Idaho	yes	no provider
Illinois	yes	yes
Kansas	yes	no provider
Maine	yes	yes
Maryland	yes	no provider
Michigan	yes	yes
Minnesota	yes	yes
Missouri	yes	yes
Nevada	yes	yes
North Carolina	yes	yes
North Dakota	yes	yes
Oklahoma	yes	yes
Oregon	yes	yes
Tennessee	yes	yes
Utah	yes	yes
Vermont	yes	no provider

Washington	yes	yes
West Virginia	yes	yes
Wyoming	yes	no provider

THE ACCESS GAP

Five states where aquamation is legal have no licensed provider currently operating: Idaho, Kansas, Maryland, Vermont, and Wyoming. The law permits it, but no one has installed equipment and opened. Families there must transport the body to a provider in a neighbouring state, which is possible but costly. The gap exists because the equipment is expensive, because demand in smaller markets may not justify it, and because local wastewater authorities sometimes raise effluent concerns that — though generally resolved through testing and permitting — can delay an opening.

The Trend Lines

Composting is accelerating, with new states added nearly every year since the first wave and resistance concentrated in the South and parts of the Midwest. Aquamation is plateauing in legalisation but growing in adoption: most of the easy states have legalised, but within them more facilities are installing equipment, awareness is rising, and the price gap with flame cremation is narrowing. Underlying all of it is the cremation trajectory — as cremation becomes the default, alternatives to flame cremation and to cremation entirely gain a larger addressable market.

What This Means for You

If you live in a composting-legal state: you can plan a composting disposition now, and having it legal in your state simplifies logistics and reduces cost. **If you live in an aquamation-legal state:** check whether a provider actually operates near you; if you are in one of the five legal-but-no-provider states, you will need to transport the body to a neighbouring state. **If you live where neither is legal:** you can still access both through transport to a legal state, which adds cost and complexity. **If you want to help change the law:** the most effective driver of state legislation is personal constituent testimony, so contact your state representative and senator directly; advocacy organisations and standards bodies also support ecological deathcare legislation.

One last point: product legality does not vary. Coffins, urns, shrouds, and memorial items are legal to buy and use in all fifty states. The legal variation is in the disposition method, not in

the products.

A NOTE ON THIS GUIDE

This guide is for general information and reflects conditions as of 2026. Laws and consumer rights vary by state and change over time. Nothing here is legal advice; for guidance on your own situation, consult a qualified attorney in your state.