

Alaska State Legislature

Senator Kim Elton
Minority Whip



Senator Fred Dyson
Chair, Health Education &
Social Services

SB 37 Transportation of Dead Bodies

Sponsor Statement

Alaska law currently requires any dead body transported in or out of the state to first be embalmed. This requirement, found in public health regulations, was in effect prior to statehood. Back when few communities had daily jet service, dry ice was not widely available, and plastics technology not as advanced as it is today, this was necessary to protect the public health.

Members of certain religious groups, however, do not embalm their dead. When these Alaskans wish to be buried next to a loved one out of state or in the Holy Land, or when they wish to bury a loved one in Alaska who passed away Outside, their religious practices and state law come into conflict. This requirement can also impact tourists visiting our state.

Government should only infringe religious liberty when necessary to serve a compelling state interest, like protection of the public health. SB 37 requires the Department of Health & Social Services to rewrite its regulations regarding the transportation of dead bodies. It gives the department the flexibility it needs to require embalming where necessary to protect the public health, but not as a general matter of course.

We would appreciate your support.