**Section 110.105 Scattering of Cremated Human Remains**

a) The scattering of cremated human remains is prohibited, except pursuant to the terms and conditions of a permit issued by the Department. The scattering of cremated human remains shall not be permitted within 100 feet of archaeological sites, within Illinois nature preserves, Illinois land and water reserves, and Illinois Natural Areas Inventory sites, or at State Historic Sites, State Memorials, and Miscellaneous Properties designated pursuant to 20 ILCS 3405/6.

b) A person seeking a permit for scattering cremated human remains shall submit an application to the Department, on a form approved by the Department, at least 14 days before the requested scattering date, to allow for Department review of the proposed scattering location and to avoid significant archaeological sites and/or environmentally sensitive areas. Applications for a permit for scattering cremated human remains shall be available on the Department's website, at Department headquarters and regional offices, and at State park offices.

c) The following conditions apply to the permitted scattering of cremated human remains, in addition to any terms and conditions specified in the permit:

1) The proposed scattering location must be out of sight of any public use areas, including, but not limited to, roads, walkways, trails, picnic areas, campgrounds and parking lots;

2) The proposed scattering location must be at least 200 feet from any lake, stream, watercourse or creek bed (running or dry);

3) Persons conducting the scattering of cremated human remains shall have a copy of the permit in their possession at all times during scattering activities;

4) Scattering of cremated human remains shall be conducted so as not to disturb other park users;

5) Ashes from cremated human remains must be spread over an area large enough to avoid leaving an identifiable accumulation or remains. The cremation identification disc must not be dispensed or left on site during or after scattering activity;

6) No container, urn, cross, symbol or memorial markers of any kind may be left on Department-owned, -leased or -managed property. The placement or planting of real or artificial flowers and/or memorial trees is also prohibited; and

7) Nothing in the permit shall relieve persons conducting the scattering of cremated human remains from the obligation to comply with any and all other applicable laws and regulations affecting the disposal of human remains and the use of Department-owned, -leased or -managed property.

d) Violation of the terms and conditions of a permit issued in accordance with this Section is prohibited and may result in the suspension or revocation of the permit in addition to any other applicable penalty.

(Source: Added at 45 Ill. Reg. 12553, effective September 24, 2021)