

HB 4073 A STAFF MEASURE SUMMARY

Senate Committee On General Government and Accountability

Prepared By: C. Ross, LPRO Analyst

Meeting Dates: 2/22

WHAT THE MEASURE DOES:

Allows the State Mortuary and Cemetery Board to issue a temporary operating permit to a cemetery without a valid license in order to honor an existing contract for interment of a deceased person. Declares an emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The purchase of cemetery plots and funeral arrangements are often made well in advance of a person's death. Advance planning is intended to relieve bereaved persons of the burden of attending to such arrangements while grieving, but it can become an issue if, at the time of death, a contracted cemetery is no longer licensed. The Oregon State Mortuary and Cemetery Board prohibits interment at cemeteries without proper licensure, potentially forcing a person who has paid for an otherwise valid contract to make arrangements elsewhere. In 2015 the legislature passed House Bill 3242 to address this possibility, by authorizing the Board to issue temporary permits, but that measure included a sunset date, and the ability to issue temporary permits was repealed January 1, 2018. During the two years it was in effect, the Board provided 145 temporary permits.

House Bill 4073A reinstates the State Mortuary and Cemetery Board's authority to issue temporary permits to cemeteries without a valid license in order to honor existing contracts to inter deceased persons.