

**HB 2123 STAFF MEASURE SUMMARY**

**Carrier:** Rep. Breese-Iverson

**House Committee On Business and Labor**

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**Action Date:** 03/08/21

**Action:** Do Pass.

**Vote:** 11-0-0-0

**Yeas:** 11 - Bonham, Boshart Davis, Breese-Iverson, Bynum, Clem, Evans, Fahey, Grayber, Holvey, Post, Witt

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Jan Nordlund, LPRO Analyst

**Meeting Dates:** 1/27, 3/8

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**WHAT THE MEASURE DOES:**

Creates a rolling definition of "historic" cemetery as burial place containing remains of one or more persons who died more than 75 years before current date. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Many cemeteries fall slightly short of meeting the February 19, 1909 threshold
- Concern that cemeteries will not be maintained and preserved unless they carry the historic designation
- Distinction from other designations such as National Registry of Historic Places or local landmark designations
- Period of 75 years aligns with statutes regarding archaeological objects and sites

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Under current law, a historic cemetery is one that contains the remains of a person who died before February 14, 1909. This date was set in 1999 when the Legislative Assembly moved it back from the prior date of January 1, 1940. The Commission on Historic Cemeteries is responsible for, among other duties, assisting in the coordination of the restoration, renovation, and maintenance of historic cemeteries and for recommending to the Oregon Parks and Recreation Department (OPRD) projects and funding to maintain and improve these cemeteries. The historic cemeteries program provides resources, including grants, to people and organizations who care for historic cemeteries.

There are 1,622 designated historic cemeteries in Oregon. Though a complete count of cemeteries does not exist, OPRD has 1,866 known cemeteries in a database it maintains. Historic cemeteries represent 86 percent of known cemeteries. There are historic cemeteries in every county in Oregon.

House Bill 2123 allows the definition of "historic cemetery" to change with each passing year by defining it as a burial place containing remains of a person who died at least 75 years before the current date. OPRD anticipates that the change in definition will add approximately 100-200 cemeteries to those that hold the historic designation.