

HB 2519 -2, -4 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 2/13, 4/3

WHAT THE MEASURE DOES:

Creates new misdemeanor of displaying human remains for profit, with exemptions for legitimate ceremonial and educational purposes; creates additional penalty of up to \$5,000 per day of violation. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Clarifies a person must knowingly accept payment for displaying human remains to the public to be subject to prohibition. Deletes sections creating misdemeanor and civil penalty. Creates civil action for injunctive relief, damages or other appropriate relief against any person who unlawfully accepts payment or other consideration for displaying human remains to the public. Provides for recovery of attorney fees in specified circumstances. Adds unlawful display of human remains to offenses listed in ORS 97.990 that are Class A misdemeanors. Applies to conduct occurring after effective date. Declares emergency, effective on passage.

-4 Clarifies a person must knowingly accept payment for displaying human remains to the public to be subject to prohibition. Deletes sections creating misdemeanor and civil penalty. Creates civil action for injunctive relief, damages or other appropriate relief against any person who unlawfully accepts payment or other consideration for displaying human remains to the public. Provides for recovery of attorney fees in specified circumstances. Removes language making unlawful display of human remains an unclassified misdemeanor. Applies to conduct occurring after effective date. Declares emergency, effective on passage.

BACKGROUND:

In 2021, a private company hosted a for-profit display of the dissection of a human body in downtown Portland. The body was donated by a World War II veteran, believing he was donating his body to science for medical research. After the event, Multnomah County adopted a ban prohibiting private companies from conducting this kind of for-profit event. Jurisdictions in Washington, California, and Hawaii have passed similar legislation.

House Bill 2519 would make it a misdemeanor for a person to accept payment or other consideration in exchange for displaying human remains to the public, with specified exemptions for legitimate ceremonial and educational purposes. A person who violates the prohibition would also be subject to a civil penalty imposed and collected by the State Mortuary and Cemetery Board of up to \$5,000 per day of violation.