

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: Beyer, Edwards C., Girod, Thatcher, Riley

Nays: 0

Exc.: 0

Prepared By: Patrick Brennan, Administrator

Meeting Dates: 4/10, 4/24

WHAT THE MEASURE DOES: Revises provisions related to cemetery authorities. Revises provisions related to providers of prearrangement sales contracts and preconstruction sales contracts for funeral or cemetery merchandise. Revises provisions related to endowment care cemeteries. Authorizes the Director of the Department of Consumer and Business Services to issue emergency orders to restrict or suspend certain certificates or registrations or to order certified providers or master trustees to cease and desist from specified conduct. Allows the Attorney General to petition for appointment of receiver for certain providers.

ISSUES DISCUSSED:

- Financial planning for end of life expenses
- Regulation of end of life planning
- Collaboration in developing the measure
- Housekeeping provisions

EFFECT OF COMMITTEE AMENDMENT: Enhances language prohibiting the unauthorized conversion of trust funds to insurance policies. Clarifies definition of master trustee.

BACKGROUND: The Division of Finance and Corporate Securities of the Department of Consumer and Business Services (DCBS) is charged with regulating the handling of trust funds by endowment care cemeteries and of persons selling contracts or managing funds paid by persons preplanning for their own funerals.

House Bill 2864-A makes numerous changes and revisions to ORS 97, which governs the operation and regulation of cemeteries, disposition of human remains, and anatomical gifts. The measure was prepared by the Oregon Cemetery Association following the formation and deliberation of a work group.