

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

---

**Action:** Do Pass  
**Vote:** 5 - 0 - 2  
**Yeas:** Berger, Esquivel, Holvey, Rosenbaum, Schaufler  
**Nays:** 0  
**Exc.:** Edwards C., Smith P.  
**Prepared By:** Theresa Van Winkle, Administrator  
**Meeting Dates:** 5/9

---

**WHAT THE MEASURE DOES:** Establishes the maximum fee that the Mortuary and Cemetery Board may charge an exempt operating cemetery for a certificate of authority to no more than \$100 and the registration of principals to no more than \$50. Expands the number of small cemeteries that are eligible for a waiver of renewal and other fees from the board to cemeteries that have 10 or fewer interments per year. Prohibits the board from subjecting an exempt operating cemetery to random inspections.

**ISSUES DISCUSSED:**

- Definition of an exempt operating cemetery
- Revenue loss from expanding the number of cemeteries that are exempt from paying some fees to the Mortuary and Cemetery Board

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** The Oregon Mortuary and Cemetery Board licenses practitioners, embalmers, pre-need salespeople, cemeteries, mortuaries, and crematoria. It also performs background checks, complaint investigations, and regular facility inspections. Enforcement actions include certificate sanctions, civil penalties, and negotiated agreements. Inspections of facilities and records are required by statute at least once each biennium. The board's six staff includes compliance, investigative, and licensing specialists who are supported by revenues from licensing and examination fees and death certificate filings.

Fees are currently set by the board to cover its costs. Fee changes must be approved by the Department of Administrative Services and reported to the legislative Emergency Board. Biennial renewal fees for cemeteries are based on the number of burials and are currently \$4 per burial. There is a renewal fee exemption in current law that applies to cemeteries with five or fewer burials per year. SB 746 A would extend that exemption to cemeteries with ten or few burials a year.

Current initial registration fees are \$150 per cemetery and \$50 for each principal (board member). The board has reduced this initial fee to \$100 for cemeteries with five or fewer burials per year. SB 746 A puts the current fee for small cemeteries into statute as a cap and also limits the fee for registration of principals to \$50 regardless of the number of principals.