

# Senate Bill 32

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Department of Human Services to disclose certain information regarding cremated remains in its possession.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to disclosure of information regarding cremated remains; amending ORS 409.742; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 409.742 is amended to read:

409.742. (1) Notwithstanding any other provision of law, the Department of Human Services *[may disclose, for the following purposes,]* **shall disclose to the general public** the name and the dates of birth and death of a person<sup>[, if known,]</sup> whose cremated remains are in the possession of the department **for the purpose of:**

*[(1) Interment of the cremated remains; or]*

*[(2) Creation of a memorial to those persons whose cremated remains are not claimed or interred.]*

**(a) Giving a family member of the person an opportunity to claim the cremated remains; and**

**(b) Creating a memorial for those persons whose cremated remains are not claimed.**

**(2) If an individual contacts the department to determine whether the department is in possession of the cremated remains of a family member of the individual and the department determines that the department is in possession of the cremated remains, the department shall disclose to the individual that the department is in possession of the cremated remains and offer the individual the opportunity to claim the remains.**

**(3) As used in this section, "family member" means any individual related by blood, marriage or adoption to a person whose cremated remains are in the possession of the department.**

**SECTION 2. This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect on its passage.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.