

HOUSE AMENDMENTS TO HOUSE BILL 3241

By COMMITTEE ON GENERAL GOVERNMENT AND CONSUMER PROTECTION

April 25

1 Delete lines 4 through 11 of the printed bill and insert:

2 **“SECTION 1. (1) Any person proposing to conduct a funeral service may reserve all or**
3 **part of the public real property within 400 feet of the property on which the service is to be**
4 **conducted for the purpose of processions, displays, presentations and other activities in**
5 **memory of the deceased person. A reservation may be made under this section for more than**
6 **one place where services will be conducted for a deceased person.**

7 **“(2) If a funeral service is conducted within the boundaries of a city, a reservation under**
8 **this section must be made with the city. If a funeral service is conducted at a place that is**
9 **not within the boundaries of a city, a reservation under this section must be made with the**
10 **county. Cities and counties shall enter into arrangements with funeral service practitioners**
11 **that will allow funeral service practitioners to take reservations and collect any fee. The**
12 **arrangements shall provide for notification by a funeral service practitioner to the city or**
13 **county of the area reserved under this section.**

14 **“(3) If a city or county imposes any fee for a reservation under this section, the city or**
15 **county shall provide for waiver or reduction of the fee for funeral services conducted for**
16 **decedents who served in the Armed Forces.**

17 **“(4) Except as provided in subsection (5) of this section, a person who has reserved real**
18 **property under this section may exclude from the area identified in the reservation, during**
19 **the time specified in the reservation, any person who is not invited by the person for the**
20 **purpose of activities in memory of the deceased person.**

21 **“(5) A reservation made under this section does not authorize:**

22 **“(a) Restrictions on normal transit through the specified area by pedestrians and by au-**
23 **tomobiles, buses and other means of transportation; or**

24 **“(b) Restrictions on access to private property through the specified area.**

25 **“(6) Any person who refuses to leave a reserved area after having been requested to do**
26 **so by the person holding a reservation made under this section commits a Class B**
27 **misdemeanor.**

28 **“(7) As used in this section, ‘funeral service’ means a burial or other memorial service**
29 **for a deceased person that is conducted in a residence, cemetery, funeral home, church,**
30 **synagogue, mosque or other similar location.**

31 **“SECTION 2. Section 3 of this 2011 Act is added to and made a part of ORS 166.005 to**
32 **166.095.**

33 **“SECTION 3. (1) A person commits the crime of disrupting a funeral service if, with in-**
34 **tent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof**
35 **and knowing that a funeral service is being conducted, the person, within 1,000 feet of the**

1 **real property on which the service is being conducted:**
2 **“(a) Engages in fighting or in violent, tumultuous or threatening behavior;**
3 **“(b) Makes unreasonable noise;**
4 **“(c) Disturbs any lawful assembly of persons without lawful authority;**
5 **“(d) Obstructs vehicular or pedestrian traffic on a public way; or**
6 **“(e) Creates a hazardous or physically offensive condition by any act that the person is**
7 **not licensed or privileged to do.**
8 **“(2) Disrupting a funeral service is a Class A misdemeanor.**
9 **“(3) As used in this section, ‘funeral service’ means a burial or other memorial service**
10 **for a deceased person that is conducted in a residence, cemetery, funeral home, church,**
11 **synagogue, mosque or other similar location.”.**

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