

A-Engrossed
House Bill 3242

Ordered by the House April 21
Including House Amendments dated April 21

Sponsored by COMMITTEE ON BUSINESS AND LABOR

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.

Permits State Mortuary and Cemetery Board to [*assume control of insolvent, bankrupt or dis-owned cemetery to carry out existing prearrangement sales contracts to which cemetery is party and to effect rights of plot owners*] **grant temporary operating permit for cemetery without operating license to perform interment**. Directs board to adopt rules.

Sunsets January 1, 2018.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to cemeteries; and declaring an emergency.

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

4 **SECTION 1. (1) The State Mortuary and Cemetery Board may grant a temporary oper-**
5 **ating permit for a cemetery that does not hold a valid license to operate for the purpose of**
6 **performing an interment. The board may grant the temporary operating permit to a person**
7 **that holds a license, certificate of authority or registration issued by the board, or to a**
8 **person who works in the cemetery industry and who the board determines is qualified.**

9 **(2) The board may grant the temporary operating permit described in subsection (1) of**
10 **this section only if a death that necessitates interment has occurred and there is an existing**
11 **prearrangement sales contract, as defined in ORS 97.923, to which the cemetery is a party.**

12 **(3) The board shall adopt rules regarding temporary operating permits. The rules adopted**
13 **under this subsection must require:**

14 **(a) That the person granted the temporary operating permit maintain records; and**

15 **(b) That the plot location stated in the existing prearrangement sales contract is verified**
16 **before the interment.**

17 **(4) The board may not charge a fee for a temporary operating permit.**

18 **SECTION 2. (1) Section 1 of this 2015 Act becomes operative on January 1, 2016.**

19 **(2) The State Mortuary and Cemetery Board may take any action before the operative**
20 **date specified in subsection (1) of this section that is necessary to enable the board to exer-**
21 **cise, on or after the operative date specified in subsection (1) of this section, all of the duties,**
22 **functions and powers conferred on the board by section 1 of this 2015 Act.**

23 **SECTION 3. Section 1 of this 2015 Act is repealed on January 1, 2018.**

24 **SECTION 4. This 2015 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
26 **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.

