



Open Government Impact Statement

82nd Oregon Legislative Assembly
2023 Regular Session

Measure: HB 2147 - A

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Directs governing body of each county to designate person to ensure interment of unclaimed cremated remains of veteran or survivor of veteran. Limits civil liability for interment of eligible decedent except for gross negligence.

Requires funeral establishments in possession of unclaimed cremated remains of veteran or survivor of veteran, under certain circumstances, to release unclaimed cremated remains and associated veteran status information upon request by veterans' remains coordinator and apply for state or federal benefits on behalf of decedent.

Limits civil liability of funeral establishment for release of veteran status information or release of eligible decedent except for gross negligence.

Authorizes funeral establishments in possession of unclaimed human remains of veteran or survivor of veteran to cremate, reduce or inter unclaimed human remains under certain circumstances.

Directs veterans' remains coordinator to report information about veteran or survivor of veteran to United States Department of Veterans Affairs. Requires veterans' remains coordinator to establish and maintain list of reported information and to make information available upon request to county veterans' service officer.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure provides that a veterans' remains coordinator may use veteran status information received from an entity in possession of an eligible decedent only for disclosure to the United States Department of Veterans Affairs to verify the interment benefits of an eligible decedent. However, it is not entirely clear if this wording is sufficient to create a new public records request exemption.

If the public records were instead subject to mandatory disclosure under public records law, the public could receive personally identifiable information of a deceased veteran or spouse, dependent or survivor of a veteran that may be entitled to interment at a national cemetery under federal law.