

**ORS Chapter 97 — Rights and Duties Relating to Cemeteries, Human Bodies and Anatomical Gifts**

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CEMETERIES, HUMAN BODIES AND ANATOMICAL GIFTS

PROPERTY RIGHTS AND TRANSACTIONS

**OREGON COMMISSION ON HISTORIC CEMETERIES**

ORS 97.772 Definition of “historic cemetery”

ORS 97.780 Duties

ORS 97.782 Listing of historic cemeteries; form

**ORS 97.772 Definition of “historic cemetery.”** For purposes of ORS 97.772 to 97.784, “historic cemetery” means any burial place that contains the remains of one or more persons who died before February 14, 1909. [emphasis added] [1999 c.731 §1; 2003 c.173 §1]

Note: 97.772 to 97.784 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 97 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

97.773 [1995 c.457 §3; repealed by 1999 c.731 §14]

**ORS 97.780 Duties.** The Oregon Commission on Historic Cemeteries shall:

**(1) Maintain a listing of all historic cemeteries in this state.** [emphasis added]

(2) Assist in coordination of restoration, renovation and maintenance of Oregon’s historic cemeteries.

(3) Make recommendations to the State Parks and Recreation Director for projects and funding to help maintain and improve Oregon’s historic cemeteries.

(4) Obtain grant funding and seek legislative appropriations for individual historic cemeteries and groups of historic cemeteries.

(5) Make recommendations to the Legislative Assembly for changes in law that will help protect historic cemeteries as part of Oregon’s heritage.

**(6) Assist the director in locating and listing historic cemeteries.** [emphasis added]

(7) Assist cemeteries listed as historic cemeteries with the commission to rehabilitate and maintain those cemeteries and to promote public education relating to historic cemeteries.

(8) Establish a process to obtain advice from authorities on the subject of the care of old grave markers and graveyards as part of any restoration process. [1999 c.731 §6; 2003 c.173 §5]

Note: See note under 97.772.

**ORS 97.782 Listing of historic cemeteries; form.** A historic cemetery that is not an operating cemetery, as defined in ORS 692.010, shall be listed with the Oregon Commission on Historic Cemeteries. **An owner or any other person or association of individuals that maintains such a historic cemetery shall list the historic cemetery with the Oregon Commission on Historic Cemeteries on a form provided by the commission.** [emphasis added] No fee shall be required from a historic cemetery for listing. [1999 c.731 §7; 2003 c.173 §6]

Note: See note under 97.772.