

EHB 2658

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THE STATE SENATE
Thursday, March 30, 2000

ENGROSSED
House Bill No. 2658
As Amended

ENGROSSED HOUSE BILL NO. 2658 - By: SULLIVAN (John) of the House and FORD of the Senate.

(elections - amending 26 O.S., Section 4-120.3 -
cancellation of voter registration of deceased persons -
amending 63 O.S., Section 1-317 - death certificates -
effective date)

SECTION 1. AMENDATORY 26 O.S. 1991, Section 4-120.3, as
last amended by Section 6, Chapter 88, O.S.L. 1999 (26 O.S. Supp.
1999, Section 4-120.3), is amended to read as follows:

Section 4-120.3 The State Health Department shall each month
transmit to the Secretary of the State Election Board a certified
list of all deaths of residents that have occurred within the state
for the immediately preceding month. The Secretary of the State
Election Board shall transmit said list to the secretary of the
county election board who shall then use said list to ascertain
those voters who are deceased, and shall thereafter remove such
deceased person's name from the central registry and the Oklahoma
Election Management System. Said list shall be used only for the
purposes ~~hereinbefore~~ described in this section. In addition, the
registration of a deceased voter may be canceled by the secretary of

1 a county election board upon the execution by the next of kin of
2 said deceased voter of a form and upon the nature of proof of the
3 fact thereof as prescribed by the Secretary of the State Election
4 Board or upon receipt of a death certificate from a funeral director
5 or other person acting as such pursuant to Section 1-317 of Title 63
6 of the Oklahoma Statutes. Said form must be executed in person by
7 said next of kin at the county election board office, in which case
8 it shall be witnessed by the secretary or other designated
9 employees, at the voter's precinct polling place on the day of any
10 election, in which case it shall be witnessed by the inspector of
11 said precinct, or the form may be personally signed by the next of
12 kin, such signature to be notarized by a notary public, and returned
13 to the county election board.

14 SECTION 2. AMENDATORY 63 O.S. 1991, Section 1-317, is
15 amended to read as follows:

16 Section 1-317. ~~(a)~~ A. A death certificate for each death which
17 occurs in this state shall be filed with the local registrar of the
18 district in which the death occurred, within three (3) days after
19 such death and prior to burial or removal of the body; provided,
20 that, :

21 ~~(1)~~ 1. If the place of death is unknown, a death certificate
22 shall be filed in the registration district in which a dead body is
23 found, within three (3) days after such occurrence; and

1 ~~(2)~~ 2. If death occurs in a moving conveyance, a death
2 certificate shall be filed in the registration district in which the
3 dead body was first removed from such conveyance.

4 ~~(b)~~ B. The funeral director or person acting as such who first
5 assumes custody of a dead body shall file the death certificate. He
6 shall obtain the personal data from the next of kin or the best
7 qualified person or source available. He shall complete the
8 certificate as to personal data and deliver the certificate to the
9 attending physician or the medical examiner responsible for
10 completing the medical certification portion of the certificate of
11 death within twenty-four (24) hours after the death. A copy of the
12 death certificate shall be filed with the secretary of the county
13 election board within six (6) months after the death.

14 ~~(c)~~ C. The medical certification shall be completed and signed
15 within forty-eight (48) hours after death by the physician in charge
16 of the patient's care for the illness or condition which resulted in
17 death, except when inquiry as to the cause of death is required by
18 Section 938 of this title. If the death was caused by execution
19 pursuant to a lawful court order, the certificate of death shall
20 state that the cause of death was the execution of such order.

21 ~~(d)~~ D. In the event that the physician in charge of the
22 patient's care for the illness or condition which resulted in death
23 is not in attendance at the time of death, the medical certification

1 shall be completed and signed within forty-eight (48) hours after
2 death by the physician in attendance at the time of death, except
3 when inquiry as to the cause of death is required by Section 938 of
4 this title. Provided that such certification, if signed by other
5 than the attending physician, shall note on the face the name of the
6 attending physician and that the information shown is only as
7 reported.

8 SECTION 3. This act shall become effective November 1, 2000.

9 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 3-27-00
10 - DO PASS, As Amended.