

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

SENATE BILL 1420

By: Helton

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 1991, Section 1-329.1, as amended by Section 18, Chapter 269, O.S.L. 1993 (63 O.S. Supp. 1999, Section 1-329.1), which relates to permits for disposal of dead human bodies; requiring Office of the Chief Medical Examiner make application-permit form available by electronic means at all times; requiring certain assistance and timely filing by funeral establishment; requiring Office of the Chief Medical Examiner respond to application within certain time limit; requiring funeral establishment to refrigerate at its own cost, and not embalm certain bodies under certain circumstances; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-329.1, as amended by Section 18, Chapter 269, O.S.L. 1993 (63 O.S. Supp. 1999, Section 1-329.1), is amended to read as follows:

Section 1-329.1 A. Until a permit for disposal has been issued in accordance with this section, no dead human body whose death occurred within the State of Oklahoma shall be cremated, buried at sea, or made unavailable for further pathologic study by other recognized means of destruction or dissolution of such remains.

B. When the person legally responsible for disposition of a dead human body, whose death occurred or was pronounced within this state, desires that the body be cremated, buried at sea, or made unavailable for further pathologic study by other recognized means of destruction or dissolution of such remains, that person shall complete an application-permit form for such procedure provided by the Office of the Chief Medical Examiner. The Office of the Chief

Medical Examiner shall make the application-permit form generally available, twenty-four (24) hours a day and seven (7) days a week, by electronic means. If, by prearrangement with a funeral establishment, an individual has given notice of a desire to be cremated without being embalmed, or if at the time of death, the person or persons making the funeral arrangements request that the body be cremated without being embalmed, the funeral establishment shall be responsible for the immediate preparation of the application-permit form and shall file it with the Office of the Chief Medical Examiner within two (2) hours of receiving the request or, if the request was made during prearrangement, within two (2) hours of being notified of the death.

C. Within twenty-four (24) hours of receiving the application-permit form, the Office of the Chief Medical Examiner shall provide the cremation permit to the funeral establishment or indicate that it does not intend to do so. If the funeral establishment does not receive the permit within twenty-four (24) hours of submitting the form, the establishment shall, at its own cost, arrange for the refrigeration of the body pending issuance of the permit, and shall not embalm the body.

D. The Office of the Chief Medical Examiner shall charge a fee of One Hundred Dollars (\$100.00) for each cremation permit issued. The Medical Examiner shall be notified, as required in Section 938 of this title. ~~He~~ The Examiner shall perform the required investigation and shall issue a valid death certificate as required by Section 947 of this title and execute the permit in accordance with rules established by the Office of the Chief Medical Examiner. In order to be valid each permit must contain an individual number assigned to the particular permit by the Office of the Chief Medical Examiner. A copy of the application-permit form and the original death certificate shall be filed with the local registrar of vital statistics of the registration district in which the death occurred

or was pronounced. The original application-permit form shall be filed by the funeral director with the Office of the Chief Medical Examiner. Such filing shall occur or be postmarked within forty-eight (48) hours of the death.

E. If death occurred or was pronounced outside the geographic limits of ~~the State of Oklahoma~~ this state and the body is brought into this state for such disposal, a transit permit or a permit for removal, issued in accordance with the laws and regulations in force where the death occurred shall authorize the transportation of the body into or through this state and shall be accepted in lieu of a certificate of death as required above. A valid permit issued for disposal of such body in accordance with the laws in the jurisdiction where the body died or death was pronounced shall be authority for cremation or burial at sea or to make the body otherwise unavailable for further pathologic study by other recognized means of destruction or dissolution of such remains.

SECTION 2. This act shall become effective July 1, 2000.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

47-2-1920

WHT

6/12/2015 1:42:11 AM