

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

HOUSE BILL HB2461:

Smaligo

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-329.1, which relates to permits for disposal of dead human bodies; deleting fee for a cremation permit; 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. 2001, Section 1-329.1, is amended to read as follows:

Section 1-329.1 Until a permit for disposal of a dead human body 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~~ the remains.

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~~ the remains, that person shall complete an application-permit form for ~~such procedure~~ the disposal of a dead human body provided by the Office of the Chief Medical Examiner. ~~The Office of the Chief Medical Examiner shall charge a fee of One Hundred Dollars (\$100.00) for each cremation permit issued.~~ The Chief Medical Examiner shall be notified, as required in Section 938 of this title. ~~He~~ The Chief Medical 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~~ The filing shall occur or be postmarked within forty-eight (48) hours of the death.

If death occurred or was pronounced outside the geographic limits of the State of Oklahoma 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~~ rules 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~~ the 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~~ the remains.

SECTION 2. This act shall become effective July 1, 2004.

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.

49-2-8099

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