

SB 1292

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**THE STATE SENATE**  
**Wednesday, March 1, 2006**

**Senate Bill No. 1292**

SENATE BILL NO. 1292 - By: PADDACK of the Senate and HILLIARD of the House.

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 396, as last amended by Section 1, Chapter 28, O.S.L. 2004 (59 O.S. Supp. 2005, Section 396), which relates to the Oklahoma Funeral Board; deleting certain requirement relating to appointment; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2001, Section 396, as last amended by Section 1, Chapter 28, O.S.L. 2004 (59 O.S. Supp. 2005, Section 396), is amended to read as follows:

Section 396. There is hereby re-created, to continue until July 1, 2010, in accordance with the provisions of the Oklahoma Sunset Law, the Oklahoma Funeral Board. Any reference in the statutes to the Oklahoma State Board of Embalmers and Funeral Directors shall be a reference to the Oklahoma Funeral Board. The Board shall consist of seven (7) persons, who shall be appointed by the Governor. The term of membership of each member of the Board shall be five (5) years from the expiration of the term of the member succeeded. Any member having served as a member of the Board shall be eligible for reappointment. Provided that, a member of the Board shall serve no more than two consecutive terms and any unexpired term that a member

1 is appointed to shall not apply to this limit. The Governor shall  
2 appoint the necessary members to the Board upon vacancies and  
3 immediately prior to the expiration of the various terms. ~~Upon~~  
4 ~~request of the Governor, appointments of a licensed embalmer and~~  
5 ~~funeral director member of the Board shall be made from a list of~~  
6 ~~five qualified persons submitted by the Oklahoma Funeral Directors~~  
7 ~~Association.~~ An appointment to fill a vacancy shall be for the  
8 unexpired term. A member of the Board shall serve until a successor  
9 is appointed and qualified. No person shall be a member of the  
10 Board, unless, at the time of appointment, the person is of good  
11 moral character and a resident of this state. Five of the members  
12 shall have been actively engaged in the practice of embalming and  
13 funeral directing in this state for not less than seven (7)  
14 consecutive years immediately prior to the appointment of the  
15 person, shall have an active license as provided by the Funeral  
16 Services Licensing Act, shall keep the license effective, and remain  
17 a resident of this state during the entire time the person serves on  
18 the Board. Two of the members of the Board shall be chosen from the  
19 general public, one of whom shall, if possible, be a person licensed  
20 and actively engaged in the health care field, and shall not be  
21 licensed funeral directors or embalmers or have any interest,  
22 directly or indirectly, in any funeral establishment or any business

1 dealing in funeral services, supplies or equipment. These two  
2 members shall be appointed to serve for five-year terms.

3 SECTION 2. This act shall become effective November 1, 2006.

4 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND LABOR, dated 2-27-06  
5 - DO PASS, As Amended and Coauthored.