

1 ENGROSSED HOUSE
2 BILL NO. 1965

By: Bengé, Lamons and Nelson of
the House

3 and

4 Coffee of the Senate

5
6
7 (Office of the Chief Medical Examiner - providing
8 for independent Office - Chief Administrative
9 Officer - location of Office and laboratory - Board
10 of Medicolegal Investigations - codification -
11 effective date)

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

16 SECTION 1. AMENDATORY 51 O.S. 2001, Section 24A.5, as
17 last amended by Section 34, Chapter 16, O.S.L. 2006 (51 O.S. Supp.
18 2008, Section 24A.5), is amended to read as follows:

19 Section 24A.5 All records of public bodies and public officials
20 shall be open to any person for inspection, copying, or mechanical
21 reproduction during regular business hours; provided:

22 1. The Oklahoma Open Records Act, Sections 24A.1 through 24A.28
23 of this title, does not apply to records specifically required by
24 law to be kept confidential including:

- 1 a. records protected by a state evidentiary privilege
2 such as the attorney-client privilege, the work
3 product immunity from discovery and the identity of
4 informer privileges,
- 5 b. records of what transpired during meetings of a public
6 body lawfully closed to the public such as executive
7 sessions authorized under the Oklahoma Open Meeting
8 Act, Section 301 et seq. of Title 25 of the Oklahoma
9 Statutes,
- 10 c. personal information within driver records as defined
11 by the Driver's Privacy Protection Act, 18 United
12 States Code, Sections 2721 through 2725, or
- 13 d. information in the files of the ~~Board of Medicolegal~~
14 ~~Investigations~~ Office of the Chief Medical Examiner
15 obtained pursuant to Sections 940 and 941 of Title 63
16 of the Oklahoma Statutes that may be hearsay,
17 preliminary unsubstantiated investigation-related
18 findings, or confidential medical information.

19 2. Any reasonably segregable portion of a record containing
20 exempt material shall be provided after deletion of the exempt
21 portions; provided however, the Department of Public Safety shall
22 not be required to assemble for the requesting person specific
23 information, in any format, from driving records relating to any
24 person whose name and date of birth or whose driver license number

1 is not furnished by the requesting person. The Oklahoma State
2 Bureau of Investigation shall not be required to assemble for the
3 requesting person any criminal history records relating to persons
4 whose names, dates of birth, and other identifying information
5 required by the Oklahoma State Bureau of Investigation pursuant to
6 administrative rule are not furnished by the requesting person.

7 3. Any request for a record which contains individual records
8 of persons, and the cost of copying, reproducing or certifying each
9 individual record is otherwise prescribed by state law, the cost may
10 be assessed for each individual record, or portion thereof requested
11 as prescribed by state law. Otherwise, a public body may charge a
12 fee only for recovery of the reasonable, direct costs of record
13 copying, or mechanical reproduction. Notwithstanding any state or
14 local provision to the contrary, in no instance shall the record
15 copying fee exceed twenty-five cents (\$0.25) per page for records
16 having the dimensions of eight and one-half (8 1/2) by fourteen (14)
17 inches or smaller, or a maximum of One Dollar (\$1.00) per copied
18 page for a certified copy. However, if the request:

- 19 a. is solely for commercial purpose, or
20 b. would clearly cause excessive disruption of the
21 essential functions of the public body,
22 then the public body may charge a reasonable fee to recover the
23 direct cost of record search and copying; however, publication in a
24 newspaper or broadcast by news media for news purposes shall not

1 constitute a resale or use of a record for trade or commercial
2 purpose and charges for providing copies of electronic data to the
3 news media for a news purpose shall not exceed the direct cost of
4 making the copy. The fee charged by the Department of Public Safety
5 for a copy in a computerized format of a record of the Department
6 shall not exceed the direct cost of making the copy unless the fee
7 for the record is otherwise set by law.

8 Any public body establishing fees under this act shall post a
9 written schedule of the fees at its principal office and with the
10 county clerk.

11 In no case shall a search fee be charged when the release of
12 records is in the public interest, including, but not limited to,
13 release to the news media, scholars, authors and taxpayers seeking
14 to determine whether those entrusted with the affairs of the
15 government are honestly, faithfully, and competently performing
16 their duties as public servants.

17 The fees shall not be used for the purpose of discouraging
18 requests for information or as obstacles to disclosure of requested
19 information.

20 4. The land description tract index of all recorded instruments
21 concerning real property required to be kept by the county clerk of
22 any county shall be available for inspection or copying in
23 accordance with the provisions of the Oklahoma Open Records Act;

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1 provided, however, the index shall not be copied or mechanically
2 reproduced for the purpose of sale of the information.

3 5. A public body must provide prompt, reasonable access to its
4 records but may establish reasonable procedures which protect the
5 integrity and organization of its records and to prevent excessive
6 disruptions of its essential functions.

7 6. A public body shall designate certain persons who are
8 authorized to release records of the public body for inspection,
9 copying, or mechanical reproduction. At least one person shall be
10 available at all times to release records during the regular
11 business hours of the public body.

12 SECTION 2. AMENDATORY 63 O.S. 2001, Section 933, is
13 amended to read as follows:

14 Section 933. A. The Office of the Chief Medical Examiner of
15 the State of Oklahoma is hereby established ~~to be operated under the~~
16 ~~control and supervision of the Board.~~ The Office shall be:

17 1. Remain independent and autonomous from all other agencies in
18 this state;

19 2. Be directed by the Chief Medical Examiner, and the Chief
20 Medical Examiner may employ such other staff members as the Board
21 shall specify necessary to effectively carry out the functions of
22 this Office, except as provided for in subsection B of Section 934
23 of this title;

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1 3. Obtain approval by the Legislature before closing any
2 satellite office; and

3 4. Promulgate rules necessary to effectively implement the
4 provisions of this act.

5 SECTION 3. AMENDATORY 63 O.S. 2001, Section 934, is
6 amended to read as follows:

7 Section 934. A. 1. ~~The Board of Medicolegal Investigations~~
8 Governor shall appoint a Chief Medical Examiner who shall be a
9 physician licensed to practice in Oklahoma and a diplomate of the
10 American Board of Pathology or the American Osteopathic Board of
11 Pathology in forensic pathology.

12 2. The Chief Medical Examiner shall serve at the pleasure of
13 the ~~Board~~ Governor. In addition to the duties prescribed by law,
14 the Chief Medical Examiner may teach in any medical school in this
15 state and conduct special classes for law enforcement officers.

16 B. 1. The Governor shall appoint a Chief Administrative
17 Officer to manage the administrative functions of the Office of the
18 Chief Medical Examiner.

19 2. The Chief Administrative Officer shall serve at the pleasure
20 of the Governor and shall have the training and experience necessary
21 for the administration of the Office as determined by the Governor
22 in consultation with the Chief Medical Examiner. The duties of the
23 Chief Administrative Officer shall include:

- 1 a. the establishment of written professional
2 qualification requirements for each staff position
3 related to the investigation of deaths including but
4 not limited to forensic pathologists, chemists,
5 investigators, and the position of chief investigator,
6 b. the formulation and recommendation of rules for
7 approval or rejection by the Chief Medical Examiner,
8 c. the establishment of policy and procedures for
9 background checks of all prospective employees of the
10 Office, and
11 d. supervision of the activities of the Office.

12 SECTION 4. AMENDATORY 63 O.S. 2001, Section 935, as last
13 amended by Section 5, Chapter 269, O.S.L. 2008 (63 O.S. Supp. 2008,
14 Section 935), is amended to read as follows:

15 Section 935. The Chief Medical Examiner shall be directly
16 responsible to the ~~Board~~ Governor for the performance of the duties
17 provided for in this act and for the administration of the office of
18 the Chief Medical Examiner. The Chief Medical Examiner may~~7~~
19 ~~however,~~ delegate specific duties to the Chief Administrative
20 Officer and to competent and qualified deputies who may act for the
21 Chief Medical Examiner within the scope of the express authority
22 granted by the Chief Medical Examiner, ~~subject, however, to such~~
23 ~~rules as the Board may prescribe.~~

1 SECTION 5. AMENDATORY 63 O.S. 2001, Section 936, is
2 amended to read as follows:

3 Section 936. ~~The Board shall provide for a central office and~~
4 ~~shall see that there is maintained~~ The Office of the Chief Medical
5 Examiner shall maintain access to a laboratory suitably equipped
6 with facilities for performance of the duties imposed by this act.
7 The Office shall be located in close proximity to the Oklahoma State
8 Bureau of Investigations Forensics Science Center and the University
9 of Central Oklahoma Forensic Science Institute. The Office is
10 authorized to contract with independent third parties for the
11 effective utilization of all available resources and programs.

12 SECTION 6. AMENDATORY 63 O.S. 2001, Section 937, is
13 amended to read as follows:

14 Section 937. The Chief Medical Examiner shall appoint medical
15 examiners for each county of the state. Each medical examiner so
16 appointed shall be a Doctor of Medicine or Osteopathy and Surgery,
17 shall hold a valid license to practice his profession in Oklahoma,
18 and shall hold office at the pleasure of the ~~Board~~ Governor. In the
19 event there is no qualified person in the county or no person
20 willing to serve as a medical examiner, or in the event the medical
21 examiner is absent from the county in which he serves, or is ill or
22 disqualified by personal interest, the Chief Medical Examiner may ~~in~~
23 ~~his discretion~~ appoint as a medical examiner for ~~such~~ the county a
24 qualified person from another county, or may direct a medical

1 examiner from another county to perform the duties of a medical
2 examiner in both counties. Nothing in this section or act shall
3 prohibit or restrict the Chief Medical Examiner from ~~appointing a~~
4 ~~medical examiner and directing him~~ a medical examiner to cross a
5 county line. A medical examiner shall not be precluded from holding
6 other public offices created by the laws of the state.

7 SECTION 7. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 937.1 of Title 63, unless there
9 is created a duplication in numbering, reads as follows:

10 The Office of the Chief Medical Examiner and any employee
11 thereof shall not receive compensation of any kind from any organ,
12 eye, or tissue recovery organization except as otherwise provided
13 for by law.

14 SECTION 8. AMENDATORY 63 O.S. 2001, Section 941a, is
15 amended to read as follows:

16 Section 941a. Within three (3) hours after the death of any
17 person who is at the time of death attended by a licensed medical or
18 osteopathic physician, the body of the deceased shall be released,
19 upon demand, to the person legally entitled to the custody thereof,
20 or his representative, unless:

21 1. A release is signed by the person legally entitled to the
22 custody of the body; or

23 2. The attending physician has notified the Chief Medical
24 Examiner of the State of Oklahoma, or his designee, of the need for

1 further investigation into the cause of death, or has notified the
2 appropriate district attorney of such need; or

3 3. The laws of this state or the regulations of the ~~Board of~~
4 ~~Medicolegal Investigations~~ Office of the Chief Medical Examiner
5 require additional information or examination that cannot be
6 obtained or completed within the above period of time.

7 SECTION 9. AMENDATORY 63 O.S. 2001, Section 947, is
8 amended to read as follows:

9 Section 947. A. The certification of death of any person whose
10 death is investigated under this act shall be made by the Chief
11 Medical Examiner, his designee, or the medical examiner who
12 conducted the investigation, upon a medical examiner death
13 certificate provided by the State Registrar of Vital Statistics.
14 Such death certificates shall be valid only when signed by a duly
15 appointed medical examiner, the Chief Medical Examiner, or his
16 designee. Copies of all ~~such~~ certificates shall be forwarded
17 immediately upon receipt by the State Registrar of Vital Statistics
18 to the Office of the Chief Medical Examiner.

19 B. Any certification of death by an attending physician may be
20 referred by the State Registrar of Vital Statistics to the Chief
21 Medical Examiner for investigation and the amending of the original
22 certificate of death by the filing of a medical examiner death
23 certificate by the medical examiner or Chief Medical Examiner when
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1 the death is determined by the Chief Medical Examiner to be one
2 properly requiring investigation under Section 938 of this title.

3 C. Medical examiner death certificates will not be required in
4 cases investigated solely for the purpose of issuing a permit for
5 transport of a body out of state.

6 D. ~~The Board of Medicolegal Investigations~~ Office of the Chief
7 Medical Examiner shall not charge a fee for out-of-state shipment of
8 human remains whenever the Office of the Chief Medical Examiner has
9 not been required to conduct an investigation of the death.

10 SECTION 10. AMENDATORY 63 O.S. 2001, Section 948, as
11 amended by Section 1, Chapter 559, O.S.L. 2004 (63 O.S. Supp. 2008,
12 Section 948), is amended to read as follows:

13 Section 948. A. For each investigation or partial
14 investigation in which the medical examiner is relieved by the Chief
15 Medical Examiner or a designee, the medical examiner shall receive
16 compensation for ~~such~~ services as provided in the rules approved and
17 promulgated by the ~~Board of Medicolegal Investigations~~ Office of the
18 Chief Medical Examiner, from funds appropriated to the ~~Board of~~
19 ~~Medicolegal Investigations~~ Office of the Chief Medical Examiner.

20 Where, in the opinion of the Chief Medical Examiner, it is necessary
21 to designate a consultant pathologist to perform an autopsy, such
22 pathologist shall be entitled to a reasonable fee. Such fees shall
23 be payable from funds appropriated to the ~~Board of Medicolegal~~
24 ~~Investigations~~ Office of the Chief Medical Examiner.

1 B. The Office of the Chief Medical Examiner (OCME) shall store
2 biological specimens in the control of the OCME for the potential
3 purpose of independent analyses in matters of civil law, only upon
4 receipt of a written request for ~~such~~ storage and payment of a
5 storage fee. The fee shall be paid by the person requesting storage
6 to the Office of the Chief Medical Examiner. The ~~Board~~ Office shall
7 promulgate rules establishing a fee for storage of ~~such~~ biological
8 specimens which shall not exceed One Hundred Dollars (\$100.00) per
9 year. All fees collected pursuant to the provisions of this
10 subsection shall be deposited to the credit of the Office of the
11 Chief Medical Examiner Toxicology Laboratory Revolving Fund.

12 C. 1. The Office of the Chief Medical Examiner (OCME) is
13 authorized to perform drug screens on specimens in the custody of
14 the OCME, provided the request is made by an agency or party
15 authorized to receive such information. The OCME may limit drug
16 screens within the technical and physical capabilities of the OCME.

17 2. The authorization for drug screens shall apply only to
18 specimens from cases already within the jurisdiction of the OCME and
19 only when the analyses are deemed by the Chief Medical Examiner or
20 Deputy Chief Medical Examiner not to conflict with any investigation
21 of the case by the state.

22 3. The ~~Board of Medicolegal Investigations~~ Office of the Chief
23 Medical Examiner shall establish a fee for drug screen services by
24 rule. All fees collected pursuant to the provisions of this

1 subsection shall be deposited to the Chief Medical Examiner
2 Toxicology Laboratory Revolving Fund.

3 SECTION 11. AMENDATORY Section 2, Chapter 559, O.S.L.
4 2004 (63 O.S. Supp. 2008, Section 948.1), is amended to read as
5 follows:

6 Section 948.1 A. ~~The Board of Medicolegal Investigations~~
7 Office of the Chief Medical Examiner may establish a fee schedule
8 for forensic services, permits and reports rendered to members of
9 the public and other agencies.

10 1. No fee schedule may be established or amended by the ~~Board~~
11 Office except during a regular legislative session. The ~~Board~~
12 Office shall comply with the Administrative Procedures Act for
13 adoption of rules and establishing or amending any ~~such~~ fee
14 schedule.

15 2. Except as otherwise specified in this section, the ~~Board~~
16 Office shall charge fees only within the following ranges:

- 17 a. permit for cremations that occur within the state:
18 One Hundred Dollars (\$100.00) to Two Hundred Dollars
19 (\$200.00),
- 20 b. forensic science service: One Hundred Dollars
21 (\$100.00) to Three Thousand Dollars (\$3,000.00),
- 22 c. report copies: Ten Dollars (\$10.00) for report of
23 investigation, including toxicology, and Twenty
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1 Dollars (\$20.00) for an autopsy report, including
2 toxicology,

3 d. x-rays: Fifteen Dollars (\$15.00) each,

4 e. microscopic slides, Hematoxilyn and Eosin (H&E): Ten
5 Dollars (\$10.00) each,

6 f. special stains: Fifteen Dollars (\$15.00) each, and

7 g. photographs: Twenty-five Dollars (\$25.00) per
8 computer diskette (CD).

9 B. The ~~Board~~ Office shall base the fee schedule for forensic
10 science services, permits and reports upon reasonable costs of
11 review, investigation and forensic science service delivery;
12 provided, however, the fee schedule shall be within the ranges
13 specified in subsection A of this section. The ~~Board~~ Office shall
14 continue a system of basic and continuing educational service and
15 training for all personnel who render forensic science services in
16 order to ensure uniform statewide application of the rules of the
17 ~~Board~~ Office. The ~~Board~~ Office shall consider the reasonable costs
18 associated with such training and continuing education in setting
19 the forensic science service fees.

20 C. The ~~Board~~ Office may exempt by rule any agency or class of
21 individuals from the requirements of the fee schedule if the ~~Board~~
22 Office determines that the fees would cause an unreasonable economic
23 hardship or would otherwise hinder or conflict with ~~an agency's~~ the
24 responsibilities of an agency.

1 D. All statutory fees currently in effect for permits or
2 forensic science services administered by the Chief Medical Examiner
3 ~~and the Board of Medicolegal Investigations~~ within the jurisdiction
4 of the Office of the Chief Medical Examiner shall remain in effect
5 until such time as the ~~Board~~ Office acts to implement new schedules
6 pursuant to the provisions of this act.

7 SECTION 12. AMENDATORY 63 O.S. 2001, Section 949, as
8 amended by Section 1, Chapter 190, O.S.L. 2004 (63 O.S. Supp. 2008,
9 Section 949), is amended to read as follows:

10 Section 949.

11 A. 1. a. The Office of the Chief Medical Examiner shall keep
12 full and complete records, properly indexed, giving
13 the name, if known, of every person whose death is
14 investigated, the place where the body was found, the
15 date, cause, and manner of death and all other
16 relevant information concerning the death. The full
17 report and detailed findings of the autopsy, if any,
18 shall be a part of the record in each case.

19 b. The Chief Medical Examiner shall track and forward,
20 within seventy-two (72) hours after the examination,
21 demographic information on sudden, unexpected and
22 nontraumatic infant deaths including, but not limited
23 to, Sudden Infant Death Syndrome (SIDS), to the
24 Oklahoma SIDS Coordinator at the State Department of

1 Health and the SIDS Foundation of Oklahoma. As used
2 in this subparagraph, "Sudden Infant Death Syndrome
3 (SIDS)" means the sudden, unexpected death of an
4 apparently healthy infant less than one (1) year of
5 age which remains unexplained following a complete
6 medicolegal analysis and death scene investigation.
7 The Chief Medical Examiner shall follow up with
8 further notification upon final determination of a
9 cause of death. Such notification shall be for
10 statistical reporting purposes only.

11 2. The office shall promptly deliver to each district attorney
12 having jurisdiction of the case, copies of all records relating to a
13 death for which further investigation may be advisable. Any
14 district attorney or other law enforcement official may, upon
15 request, obtain copies of ~~such~~ records or other information deemed
16 necessary ~~to~~ for the performance of ~~such district attorney's or~~
17 ~~other law enforcement official's~~ official duties.

18 B. No report, findings, testimony, or other information of a
19 medical examiner shall be admitted in evidence in any civil action
20 in any court in this state, except under the following
21 circumstances:

22 1. Certified copies of reports pertaining to the factual
23 determinations of views and examination of or autopsies upon the
24 bodies of deceased persons by the Chief Medical Examiner, a medical

1 examiner, consultant pathologist, or anyone under their supervision
2 or control may be admitted in evidence in any civil case in a court
3 of competent jurisdiction in this state by stipulation of all
4 parties in the case;

5 2. If a party refuses to stipulate to admission, the reports
6 may be requested by any party seeking to admit the records as
7 evidence. The request shall be made to the Office of the Chief
8 Medical Examiner, who shall furnish same;

9 3. The party seeking admission of the reports shall then serve
10 interrogatories concerning the facts to be answered under oath by
11 the person preparing the records. The interrogatories and answers
12 thereto shall be subject to the rules of evidence and may be
13 admissible in evidence in any civil case in a court of competent
14 jurisdiction. Objections to the interrogatories shall be made by
15 any party in accordance with law just as if the interrogatories had
16 been served on the objecting party. Cross interrogatories shall be
17 submitted and shall be answered and admitted in evidence in the same
18 manner as interrogatories;

19 4. The taking of depositions shall then be allowed pursuant to
20 the provisions of Section 3230 of Title 12 of the Oklahoma Statutes;
21 provided, however, depositions shall take place at the Office of the
22 Chief Medical Examiner, a medical examiner, consultant pathologist,
23 or anyone under their supervision or control whose testimony is
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1 sought, unless all parties, including the medical examiner, agree
2 the deposition can be taken elsewhere;

3 5. No other testimony of the Chief Medical Examiner, a medical
4 examiner, consultant pathologist, or anyone under their supervision
5 and control shall be admitted in evidence in any civil action in any
6 court of this state, unless timely application is made to the court
7 by an interested party or litigant and timely notice of the
8 application is given to the medical examiner. After a hearing, the
9 court, for good cause shown, may order the appearance of the Chief
10 Medical Examiner, a medical examiner, consultant pathologist, or
11 anyone under their supervision and control for the purpose of
12 testifying and may order that a subpoena be issued for that
13 appearance; provided, however, that such order by the court shall be
14 the exception and not the rule; and

15 6. The cost of the records or certified copies thereof shall be
16 paid by the party requesting same. The reasonable fee charged by
17 the Chief Medical Examiner, a medical examiner, consultant
18 pathologist, or anyone under their supervision and control for
19 answering interrogatories or cross interrogatories, submitting to
20 depositions, or providing testimony shall be paid by the party
21 submitting same. This fee shall be in place of any other witness
22 fee allowed by law.

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1 C. Certified copies of reports and findings, exclusive of
2 hearsay evidence, may be admitted in evidence in preliminary
3 hearings and criminal trials by stipulation.

4 D. Certified copies of reports of investigations by a medical
5 examiner, laboratory reports and/or autopsy reports may be furnished
6 to the next of kin or others having need for them upon written
7 statement and payment of a reasonable fee set by the ~~Board of~~
8 Medicolegal Investigations Office of the Chief Medical Examiner.

9 E. 1. In a case in which possible SIDS is determined as the
10 cause of death of an infant less than one (1) year of age, the
11 medical examiner shall explain to the newly bereaved family that
12 support services are available and can be rendered more efficiently
13 if the family signs a waiver to allow release of confidential
14 information. The medical examiner shall provide such waiver to the
15 family for signatures.

16 2. The medical examiner shall document receipt of the signed
17 waiver form and shall forward such documentation to the State
18 Department of Health and the SIDS Foundation of Oklahoma, along with
19 information related to the possible SIDS death including, but not
20 limited to, the ~~infant's~~ name, date of birth, date of death, and
21 race of the infant, parents' the names, address, and phone number of
22 the parents.

1 3. As used in this subsection, "possible SIDS" means the sudden
2 unexpected, nontraumatic death of an apparently healthy infant less
3 than one (1) year of age.

4 SECTION 13. AMENDATORY 63 O.S. 2001, Section 950, is
5 amended to read as follows:

6 Section 950. In the event it is necessary or advisable to
7 perform an autopsy under the provisions of this act in some place
8 other than the laboratories of the Chief Medical Examiner, ~~said the~~ the
9 examiner may authorize payment of a reasonable fee for the use of an
10 appropriate place for the performing of an autopsy, which payment
11 shall be made upon a claim and submitted to the ~~Board of Medicolegal~~
12 ~~Investigations~~ Office of the Chief Medical Examiner.

13 SECTION 14. AMENDATORY 63 O.S. 2001, Section 951, is
14 amended to read as follows:

15 Section 951. The Chief Medical Examiner, his designee, or a
16 medical examiner shall be authorized to transport bodies of deceased
17 persons of whose death he is officially informed to an appropriate
18 place for autopsy or for the performance of scientific tests;
19 provided that, after ~~said the~~ the autopsy ~~shall have been~~ is performed
20 or ~~such~~ tests made, the bodies of ~~such~~ deceased persons shall be
21 returned to the county from which they were brought, or, when so
22 authorized by the district attorney of ~~said the~~ the county and upon
23 request of the nearest relative of the deceased or other person who
24 may be responsible for burial, the body may be transported to some

1 place other than ~~said~~ the county. The Chief Medical Examiner or ~~his~~
2 a designee may authorize payment for the services in transporting
3 the body to the place designated for autopsy, which shall be
4 submitted upon a claim filed with the ~~Board of Medicolegal~~
5 ~~Investigations~~ Office of the Chief Medical Examiner.

6 SECTION 15. AMENDATORY 63 O.S. 2001, Section 954, is
7 amended to read as follows:

8 Section 954. A. The ~~Board of Medicolegal Investigations~~ Office
9 of the Chief Medical Examiner is authorized to accept grants, gifts,
10 fees, or funds from persons, associations, corporations, or
11 foundations for any purpose ~~authorized by the Board~~.

12 B. There is ~~hereby~~ created in the State Treasury a revolving
13 fund for the Office of the Chief Medical Examiner to be designated
14 the "Chief Medical Examiner Revolving Fund". The fund shall be a
15 continuing fund, not subject to fiscal year limitations, and shall
16 consist of all moneys received from:

17 1. Laboratory analysis fees pursuant to the provisions of
18 Section 1313.2 of Title 20 of the Oklahoma Statutes;

19 2. Grants, gifts, fees or funds from persons, associations,
20 corporations, or foundations pursuant to this section;

21 3. Document fees pursuant to the Oklahoma Open Records Act,
22 Section 24A.1 et seq. of Title 51 of the Oklahoma Statutes; and

23 4. Cremation, burial at sea, or other recognized means of
24 dissolution permit fees pursuant to Section 1-329.1 of this title.

1 All monies accruing to the credit of ~~said~~ the fund are hereby
2 appropriated and may be budgeted and expended by the Office of the
3 Chief Medical Examiner for the duties imposed ~~upon the Board of~~
4 ~~Medicolegal Investigations~~ by law. Expenditures from ~~said~~ the fund
5 shall be made upon warrants issued by the State Treasurer against
6 claims filed as prescribed by law with the Director of State Finance
7 for approval and payment.

8 SECTION 16. REPEALER 63 O.S. 2001, Section 931, as
9 amended by Section 1, Chapter 410, O.S.L. 2005 (63 O.S. Supp. 2008,
10 Section 931), is hereby repealed.

11 SECTION 17. REPEALER 63 O.S. 2001, Section 932, is
12 hereby repealed.

13 SECTION 18. This act shall become effective November 1, 2009.

14 Passed the House of Representatives the 12th day of March, 2009.

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Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2009.

Presiding Officer of the Senate