

THE HOUSE OF REPRESENTATIVES
Thursday, February 11, 2010

House Bill No. 2288

HOUSE BILL NO. 2288 - By: WRIGHT (JOHN) of the House and ALDRIDGE of the Senate.

An Act relating to sunset; amending 59 O.S. 2001, Section 396, as last amended by Section 1, Chapter 28, O.S.L. 2004 (59 O.S. Supp. 2009, Section 396), which relates to the Oklahoma Funeral Board; re-creating the Board; and modifying termination date.

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

1 SECTION 1. AMENDATORY 59 O.S. 2001, Section 396, as last amended by
2 Section 1, Chapter 28, O.S.L. 2004 (59 O.S. Supp. 2009, Section 396), is amended to read
3 as follows:
4 Section 396. There is hereby re-created, to continue until July 1, ~~2010~~ 2014, in
5 accordance with the provisions of the Oklahoma Sunset Law, the Oklahoma Funeral
6 Board. Any reference in the statutes to the Oklahoma State Board of Embalmers and
7 Funeral Directors shall be a reference to the Oklahoma Funeral Board. The Board shall
8 consist of seven (7) persons, who shall be appointed by the Governor. The term of
9 membership of each member of the Board shall be five (5) years from the expiration of
10 the term of the member succeeded. Any member having served as a member of the
11 Board shall be eligible for reappointment. Provided that, a member of the Board shall
12 serve no more than two consecutive terms and any unexpired term that a member is

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

20 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES AND
21 AGENCY OVERSIGHT, dated 02-10-10 - DO PASS, As Coauthored.