

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 396

By: Russell

4  
5  
6 AS INTRODUCED

7 An Act relating to the Deceased Veterans Dignity Act;  
8 creating the Deceased Veterans Dignity Act; providing  
9 short title; amending 21 O.S. 2001, Section 1151,  
10 which relates to the disposition of one's own body;  
11 adding procedures for disposition when a person dies  
12 while serving in any branch of the United State Armed  
13 Forces, the United States Reserve Forces or the  
14 National Guard; creating the Honor the Fallen  
15 Revolving Fund; providing for administration of fund;  
16 providing for noncodification; providing for  
17 codification; and providing an effective date.

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

19 SECTION 1. NEW LAW A new section of law not to be  
20 codified in the Oklahoma Statutes reads as follows:

21 This act shall be known and may be cited as the "Deceased  
22 Veterans Dignity Act".

23 SECTION 2. AMENDATORY 21 O.S. 2001, Section 1151, is  
24 amended to read as follows:

25 A. Any person has the right to direct the manner in which his  
26 or her body shall be disposed of after death, and to direct the  
27 manner in which any part of his or her body which becomes separated

1 therefrom during his or her lifetime shall be disposed of. The  
2 provisions of ~~this article~~ Section 1151 et seq. of this title do not  
3 apply where such person has given directions for the disposal of his  
4 or her body or any part thereof inconsistent with these provisions.

5 B. A person may assign the right to direct the manner in which  
6 his or her body shall be disposed of after death by executing a  
7 sworn affidavit stating the assignment of the right and the name of  
8 the person or persons to whom the right has been assigned.

9 C. If the decedent died while serving in any branch of the  
10 United States Armed Forces, the United States Reserve Forces or the  
11 National Guard, and completed a United States Department of Defense  
12 Record of Emergency Data, DD Form 93, or its successor form, the  
13 person authorized by the decedent pursuant to that form shall have  
14 the duty to bury the decedent or to provide other funeral and  
15 disposition arrangements, including but not limited to cremation.

16 D. Any person who knowingly fails to follow the directions as  
17 to the manner in which the body of a person shall be disposed of  
18 pursuant to subsection ~~A or B~~ A, B or C of this section, upon  
19 conviction thereof, shall be guilty of a misdemeanor punishable by a  
20 fine of not more than Five Thousand Dollars (\$5,000.00).

21 SECTION 3. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 1736 of Title 69, unless there  
23 is created a duplication in numbering, reads as follows:

24

1        There is hereby created in the State Treasury a revolving fund  
2 for the Oklahoma Turnpike Authority to be designated the "Honor the  
3 Fallen Revolving Fund". The fund shall be a continuing fund, not  
4 subject to fiscal year limitations, and shall consist of all monies  
5 deposited to the credit of the fund by law. All monies accruing to  
6 the credit of said fund are hereby appropriated and may be budgeted  
7 and expended by the Oklahoma Turnpike Authority for the purpose of  
8 repaying turnpike tolls for the funeral procession of any member of  
9 the United States Armed Forces, including the National Guard or  
10 Armed Forces reserve, who is either killed in the line of duty in a  
11 combat zone or dies of wounds inflicted in a combat zone and who, at  
12 the time of death, was a resident of this state. Expenditures from  
13 said fund shall be made upon warrants issued by the State Treasurer  
14 against claims filed as prescribed by law with the Director of State  
15 Finance for approval and payment.

16        SECTION 4. This act shall become effective November 1, 2011.

18        53-1-30            ADS            1/18/2011 10:29:18 AM