

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 54th Legislature (2013)

4 HOUSE BILL 1292

 By: Sherrer

7 AS INTRODUCED

8 An Act relating to cemeteries; amending 8 O.S. 2011,
9 Section 6, which relates to interment; providing for
10 distribution of unused lot after certain time lapses;
11 clarifying line of succession if more than one heir;
12 permitting nontestamentary transfer of lots upon
13 execution and filing of certain instrument; and
14 providing an effective date.

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

15 SECTION 1. AMENDATORY 8 O.S. 2011, Section 6, is amended
16 to read as follows:

17 Section 6. A. Whenever an interment is made in any lot as
18 defined in Section ~~4~~ 3.1 of this ~~act~~ title, while any person is
19 buried on that lot, that individual lot becomes forever inalienable,
20 ~~and descends in regular~~. Unless otherwise transferred pursuant to
21 duly executed nontestamentary transfer instrument or court order,
22 any such lot which shall not be used within five (5) years of the
23 death of its record owner shall be distributed in the line of
24 succession to the heirs at law of the owner, but any one or more of

1 such heirs may release to any other of said heirs his or her
2 interests in the same, and any other joint owners may release to
3 each other in like manner. As to heirs with equal statutory
4 preference, succession shall descend based upon oldest age.

5 B. A cemetery may provide for nontestamentary transfer of
6 cemetery lots by the execution of an Affidavit of Distribution filed
7 with the organization operating the cemetery.

8 SECTION 2. This act shall become effective November 1, 2013.

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10 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND FINANCIAL
11 SERVICES, dated 02/07/2013 - DO PASS.

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