

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL NO. 1292

By: Sherrer

4  
5  
6 AS INTRODUCED

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

9

10 54-1-5955 EK 12/31/12

11

12

13

14

15

16

17

18

19

20

21

22

23

24