

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 327

By: Dahm of the Senate

3 and

4 Cleveland of the House

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6
7 An Act relating to cemeteries; amending 8 O.S. 2011,
8 sections 88 and 143, which relate to disposition of
9 dead bodies at certain state facilities; updating
10 statutory language; removing reference to certain
11 act; repealing 8 O.S. 2011, Sections 81, 82, 83, 84,
12 85, 86, 87, 90, 91, 94, 111, 112, 113, 114, 115, 131,
13 132, 133, 134, 135, 136, 137, 138, 139, 140, 141 and
14 143, which relate to Indian and township cemeteries;
15 certain cemetery associations; cemetery funds; and
16 county cemetery associations; and providing an
17 effective date.

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20 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
21 and insert

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24 "An Act relating to cemeteries; amending 8 O.S. 2011,
Sections 88 and 143, which relate to disposition of
dead bodies at certain state facilities; updating
statutory language; removing reference to certain
act; repealing 8 O.S. 2011, Sections 81, 82, 83, 84,
85, 86, 87, 90, 91, 94, 111, 112, 113, 114, 115,
131, 132, 133, 134, 135, 136, 137, 138, 139, 140 and
141, which relate to Indian and township cemeteries,
certain cemetery associations, cemetery funds and
county cemetery associations; and providing an
effective date.

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

2 SECTION 1. AMENDATORY 8 O.S. 2011, Section 88, is
3 amended to read as follows:

4 Section 88. A. The superintendents or wardens of state ~~penal,~~
5 ~~reformatory and eleemosynary institutions~~ correctional facilities,
6 of state hospitals and of state institutions ~~for the benefit of the~~
7 ~~mentally ill, blind, deaf, mute, tubercular and epileptic~~ are hereby
8 authorized and directed to remove the bodies of the deceased inmates
9 or patients from ~~said~~ such facilities and institutions, that are not
10 claimed for private burial by friends or relatives thereof within
11 ninety-six (96) hours after ~~their~~ the death, and ~~said the~~
12 superintendent or warden of ~~said~~ such facility or institution shall
13 notify the friends or relatives of ~~said the~~ deceased inmate or
14 patient by registered mail ~~or telegram~~ of the death of ~~said the~~
15 deceased inmate or patient at ~~their~~ the last known place of
16 residence, if known, in accordance with ~~the provisions of 63 O.S.~~
17 ~~1951 Section 91-100~~ state law and agency rules.

18 B. When the State Anatomical Board rejects the body of a
19 deceased inmate or patient, the superintendent or warden of that
20 facility or institution shall have the rejected body buried in lands
21 of ~~said~~ that facility or institution set aside for such purpose, or
22 in such place authorized by law or agency rule. Provided, that the
23 expenses of such burials shall be paid from the support and
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1 maintenance appropriation or any other appropriation made for the
2 operating expenses of the facility or institution.

3 SECTION 2. AMENDATORY 8 O.S. 2011, Section 143, is
4 amended to read as follows:

5 Section 143. In any county of this state ~~wherein a county~~
6 ~~cemetery association has not been organized, as authorized by 8 O.S.~~
7 ~~1951, Sections 131-141, inclusive, or has ceased to function after~~
8 ~~organization,~~ the board of county commissioners is hereby authorized
9 and empowered to utilize employees under ~~their~~ its jurisdiction and
10 county-owned tools, machinery, equipment, and materials for the
11 purposes of opening and closing graves and maintaining and improving
12 any publicly owned cemetery or other cemetery within the county not
13 owned and maintained by an individual or private organization;
14 provided that, where appropriate, a reasonable fee, not to exceed
15 the actual cost of the service, may be charged for such services.

16 SECTION 3. REPEALER 8 O.S. 2011, Sections 81, 82, 83,
17 84, 85, 86, 87, 90, 91, 94, 111, 112, 113, 114, 115, 131, 132, 133,
18 134, 135, 136, 137, 138, 139, 140 and 141, are hereby repealed.

19 SECTION 4. This act shall become effective November 1, 2015."
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