

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 327

By: Dahm of the Senate

and

6 Cleveland of the House

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9 COMMITTEE SUBSTITUTE

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

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

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

Section 88. A. The superintendents or wardens of state ~~penal,~~
~~reformatory and eleemosynary institutions~~ correctional facilities,
of state hospitals and of state institutions ~~for the benefit of the~~
~~mentally ill, blind, deaf, mute, tubercular and epileptic~~ are hereby

1 authorized and directed to remove the bodies of the deceased inmates
2 or patients from ~~said~~ such facilities and institutions, that are not
3 claimed for private burial by friends or relatives thereof within
4 ninety-six (96) hours after ~~their~~ the death, and ~~said~~ the
5 superintendent or warden of ~~said~~ such facility or institution shall
6 notify the friends or relatives of ~~said~~ the deceased inmate or
7 patient by registered mail ~~or telegram~~ of the death of ~~said~~ the
8 deceased inmate or patient at ~~their~~ the last known place of
9 residence, if known, in accordance with ~~the provisions of 63 O.S.~~
10 ~~1951 Section 91-100~~ state law and agency rules.

11 B. When the State Anatomical Board rejects the body of a
12 deceased inmate or patient, the superintendent or warden of that
13 facility or institution shall have the rejected body buried in lands
14 of ~~said~~ that facility or institution set aside for such purpose, or
15 in such place authorized by law or agency rule. Provided, that the
16 expenses of such burials shall be paid from the support and
17 maintenance appropriation or any other appropriation made for the
18 operating expenses of the facility or institution.

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

21 Section 143. In any county of this state ~~wherein a county~~
22 ~~cemetery association has not been organized, as authorized by 8 O.S.~~
23 ~~1951, Sections 131-141, inclusive, or has ceased to function after~~
24 ~~organization,~~ the board of county commissioners is hereby authorized

1 and empowered to utilize employees under ~~their~~ its jurisdiction and
2 county-owned tools, machinery, equipment, and materials for the
3 purposes of opening and closing graves and maintaining and improving
4 any ~~publicly-owned~~ publicly owned cemetery or other cemetery within
5 the county not owned and maintained by an individual or private
6 organization; provided that, where appropriate, a reasonable fee,
7 not to exceed the actual cost of the service, may be charged for
8 such services.

9 SECTION 3. REPEALER 8 O.S. 2011, Sections 81, 82, 83,
10 84, 85, 86, 87, 90, 91, 94, 111, 112, 113, 114, 115, 131, 132, 133,
11 134, 135, 136, 137, 138, 139, 140 and 141, are hereby repealed.

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

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14 55-1-7292 SD 04/01/15
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