

1 ENGROSSED SENATE  
2 BILL NO. 327

By: Dahm of the Senate

and

Cleveland of the House

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

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

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

20 Section 88. A. The superintendents or wardens of state ~~penal,~~  
21 ~~reformatory and eleemosynary institutions~~ correctional facilities,  
22 of state hospitals and of state institutions ~~for the benefit of the~~  
23 ~~mentally ill, blind, deaf, mute, tubercular and epileptic~~ are hereby  
24 authorized and directed to remove the bodies of the deceased inmates  
or patients from ~~said~~ such facilities and institutions, that are not  
claimed for private burial by friends or relatives thereof within  
ninety-six (96) hours after ~~their~~ the death, and ~~said the~~

1 superintendent or warden of ~~said~~ such facility or institution shall  
2 notify the friends or relatives of ~~said~~ the deceased inmate or  
3 patient by registered mail ~~or telegram~~ of the death of ~~said~~ the  
4 deceased inmate or patient at ~~their~~ the last known place of  
5 residence, if known, in accordance with ~~the provisions of 63 O.S.~~  
6 ~~1951 Section 91-100~~ state law and agency rules.

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

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

17 In any county of this state ~~wherein a county cemetery~~  
18 ~~association has not been organized, as authorized by 8 O.S. 1951,~~  
19 ~~Sections 131-141, inclusive, or has ceased to function after~~  
20 ~~organization,~~ the board of county commissioners is hereby authorized  
21 and empowered to utilize employees under ~~their~~ its jurisdiction and  
22 county-owned tools, machinery, equipment, and materials for the  
23 purposes of opening and closing graves and maintaining and improving  
24 any publicly owned cemetery or other cemetery within the county not

1 owned and maintained by an individual or private organization;  
2 provided that, where appropriate, a reasonable fee, not to exceed  
3 the actual cost of the service, may be charged for such services.

4 SECTION 3. REPEALER 8 O.S. 2011, Sections 81, 82, 83,  
5 84, 85, 86, 87, 90, 91, 94, 111, 112, 113, 114, 115, 131, 132, 133,  
6 134, 135, 136, 137, 138, 139, 140, 141 and 143, are hereby repealed.

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

8 Passed the Senate the 3rd day of March, 2015.

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10 \_\_\_\_\_  
11 Presiding Officer of the Senate

12 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
13 2015.

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15 \_\_\_\_\_  
16 Presiding Officer of the House  
17 of Representatives  
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