

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL 207

By: Bice

COMMITTEE SUBSTITUTE

An Act relating to the Office of the Chief Medical Examiner; amending 63 O.S. 2011, Section 945, as amended by Section 14, Chapter 293, O.S.L. 2014 (63 O.S. Supp. 2016, Section 945), which relates to autopsy reports; requiring reports to be sealed for certain period following certain notice; permitting district attorneys to make certain request for certain purpose; providing certain limitation; permitting issuance of reports to certain entities for certain purposes; amending 63 O.S. 2011, Section 1-329.1, which relates to cremation; deleting certain limitation on fee; clarifying language; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 945, as amended by Section 14, Chapter 293, O.S.L. 2014 (63 O.S. Supp. 2016, Section 945), is amended to read as follows:

Section 945. A. When properly authorized, an autopsy shall be performed by the Chief Medical Examiner or such person as may be designated by him or her for such purpose. The Chief Medical Examiner or a person designated by him or her may authorize arterial

1 embalming of the body prior to the autopsy when such embalming would
2 in his or her opinion not interfere with the autopsy. The extent of
3 the autopsy shall be made as is deemed necessary by the person
4 performing the autopsy.

5 B. A full and complete report of the facts developed by the
6 autopsy together with the findings of the person making it shall be
7 prepared and filed in the Office of the Chief Medical Examiner
8 without unnecessary delay but shall be sealed for public inspection
9 until fourteen (14) calendar days after the Office has properly
10 notified the next of kin.

11 1. Copies of such reports and findings shall be furnished to
12 district attorneys and law enforcement officers making a criminal
13 investigation in connection with the death. District attorneys may
14 request autopsy reports be sealed by the Office for one (1) year if
15 the cause of death is homicide; provided, a report issued pursuant
16 to this subsection shall not be sealed for longer than four (4)
17 years.

18 2. The Office may, after obtaining written consent from the
19 next of kin, release a full autopsy report to insurance companies
20 for the purposes of conducting business relevant to the deceased.

21 SECTION 2. AMENDATORY 63 O.S. 2011, Section 1-329.1, is
22 amended to read as follows:

23 Section 1-329.1. Until a permit for disposal has been issued in
24 accordance with this section, no dead human body whose death

1 occurred within the State of Oklahoma shall be cremated, buried at
2 sea, or made unavailable for further pathologic study by other
3 recognized means of destruction or dissolution of such remains.

4 When the person legally responsible for disposition of a dead
5 human body, whose death occurred or was pronounced within this
6 state, desires that the body be cremated, buried at sea, or made
7 unavailable for further pathologic study by other recognized means
8 of destruction or dissolution of such remains, that person shall
9 complete an application-permit form for such procedure provided by
10 the Office of the Chief Medical Examiner. The Office of the Chief
11 Medical Examiner, in accordance with Section 948.1 of this title,
12 shall charge a fee ~~of One Hundred Dollars (\$100.00)~~ for each
13 cremation permit issued. The Medical Examiner shall be notified, as
14 required in Section 938 of this title. ~~He~~ The Medical Examiner
15 shall perform the required investigation and shall issue a valid
16 death certificate as required by Section 947 of this title and
17 execute the permit in accordance with rules established by the
18 Office of the Chief Medical Examiner. In order to be valid, each
19 permit must contain an individual number assigned to the particular
20 permit by the Office of the Chief Medical Examiner. A copy of the
21 application-permit form and the original death certificate shall be
22 filed with the State Registrar. The original application-permit
23 form shall be filed by the funeral director with the Office of the
24

1 Chief Medical Examiner. Such filing shall occur or be postmarked
2 within forty-eight (48) hours of the death.

3 If death occurred or was pronounced outside the geographic
4 limits of the State of Oklahoma and the body is brought into this
5 state for such disposal, a transit permit or a permit for removal,
6 issued in accordance with the laws and regulations in force where
7 the death occurred shall authorize the transportation of the body
8 into or through this state and shall be accepted in lieu of a
9 certificate of death as required above. A valid permit issued for
10 disposal of such body in accordance with the laws in the
11 jurisdiction where the body died or death was pronounced shall be
12 authority for cremation or burial at sea or to make the body
13 otherwise unavailable for further pathologic study by other
14 recognized means of destruction or dissolution of such remains.

15 SECTION 3. This act shall become effective November 1, 2017.

16
17 56-1-1509 AM 7/17/2018 10:00:23 AM
18
19
20
21
22
23
24