

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2830

By: Gann

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to sunset; amending 59 O.S. 2011,
10 Section 396, as amended by Section 1, Chapter 61,
11 O.S.L. 2014 (59 O.S. Supp. 2019, Section 396), which
12 relates to the Oklahoma Funeral Board; re-creating
13 the Board; and modifying termination date.

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

15 SECTION 1. AMENDATORY 59 O.S. 2011, Section 396, as
16 amended by Section 1, Chapter 61, O.S.L. 2014 (59 O.S. Supp. 2019,
17 Section 396), is amended to read as follows:

18 Section 396. There is hereby re-created, to continue until July
19 1, ~~2020~~ 2021, in accordance with the provisions of the Oklahoma
20 Sunset Law, the Oklahoma Funeral Board. Any reference in the
21 statutes to the Oklahoma State Board of Embalmers and Funeral
22 Directors shall be a reference to the Oklahoma Funeral Board. The
23 Board shall consist of seven (7) persons, who shall be appointed by
24 the Governor. The term of membership of each member of the Board

1 shall be five (5) years from the expiration of the term of the
2 member succeeded. Any member having served as a member of the Board
3 shall be eligible for reappointment. Provided that, a member of the
4 Board shall serve no more than two consecutive terms and any
5 unexpired term that a member is appointed to shall not apply to this
6 limit. The Governor shall appoint the necessary members to the
7 Board upon vacancies and immediately prior to the expiration of the
8 various terms. Upon request of the Governor, appointments of a
9 licensed embalmer and funeral director member of the Board shall be
10 made from a list of five qualified persons submitted by the Oklahoma
11 Funeral Directors Association. An appointment to fill a vacancy
12 shall be for the unexpired term. A member of the Board shall serve
13 until a successor is appointed and qualified. No person shall be a
14 member of the Board, unless, at the time of appointment, the person
15 is of good moral character and a resident of this state. Five of
16 the members shall have been actively engaged in the practice of
17 embalming and funeral directing in this state for not less than
18 seven (7) consecutive years immediately prior to the appointment of
19 the person, shall have an active license as provided by the Funeral
20 Services Licensing Act, shall keep the license effective, and remain
21 a resident of this state during the entire time the person serves on
22 the Board. Two of the members of the Board shall be chosen from the
23 general public, one of whom shall, if possible, be a person licensed
24 and actively engaged in the health care field, and shall not be

1 licensed funeral directors or embalmers or have any interest,
2 directly or indirectly, in any funeral establishment or any business
3 dealing in funeral services, supplies or equipment. These two
4 members shall be appointed to serve for five-year terms.

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6 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES, dated
7 02/18/2020 - DO PASS, As Amended.
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