

1 ENGROSSED HOUSE
2 BILL NO. 2072

By: McCall of the House

3 and

4 Bullard of the Senate

5
6 An Act relating to professions and occupations;
7 amending 59 O.S. 2011, Section 396.3, as last amended
8 by Section 14, Chapter 363, O.S.L. 2019 (59 O.S.
9 Supp. 2020, Section 396.3), which relates to licenses
10 for funeral directors and embalmers; authorizing
11 issuance of temporary licenses during state of
12 emergency; and declaring an emergency.

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

14 SECTION 1. AMENDATORY 59 O.S. 2011, Section 396.3, as
15 last amended by Section 14, Chapter 363, O.S.L. 2019 (59 O.S. Supp.
2020, Section 396.3), is amended to read as follows:

16 Section 396.3 A. The Oklahoma Funeral Board shall determine
17 the qualifications necessary to enable any person to practice as a
18 funeral director or embalmer, and prescribe the requirements for a
19 funeral establishment or commercial embalming establishment. The
20 Board shall examine all applicants for licenses to practice as a
21 funeral director or embalmer. The Board shall issue the proper
22 licenses to applicants who successfully pass such examination and
23 qualify pursuant to any additional requirements the Board may
24 prescribe.

1 B. 1. Except as provided in subsection C of this section, the
2 minimum requirements for a license to practice funeral directing or
3 embalming, or both, are as follows:

4 An applicant for a license to practice funeral directing or
5 embalming shall be at least twenty (20) years of age, a legal
6 resident of this state, and a citizen or permanent resident of the
7 United States. In addition, an applicant shall have at least sixty
8 (60) semester hours of study earned, measured in quarter or clock
9 hours, from a regionally accredited college or university, shall be
10 a graduate of a program of mortuary science accredited by the
11 American Board of Funeral Service Education, and have served one (1)
12 year as a registered apprentice. The applicant may serve as a
13 registered apprentice prior to enrollment in an approved school of
14 mortuary science, or subsequent to graduation from the school, and
15 pass the International Conference of Funeral Service Examining Board
16 National Board Science Examination and/or Arts Examination with a
17 seventy-five (75) or higher score on each exam.

18 2. Curriculum of study for an embalmer and/or funeral director
19 is a program of mortuary science which shall be that prescribed by
20 the American Board of Funeral Service Education.

21 C. 1. If a person chooses not to meet the qualifications in
22 subsection B of this section for a funeral director, the person may
23 alternatively qualify for a license to practice funeral directing,
24 but not embalming, upon meeting the eligibility requirements of this

1 subsection as follows: An applicant for a license to practice
2 funeral directing shall be at least twenty (20) years of age, a
3 legal resident of this state, and a citizen or permanent resident of
4 the United States. An applicant is required to complete a funeral
5 director course of study approved by the Oklahoma Funeral Board and
6 that is administered by program of mortuary science accredited by
7 the American Board of Funeral Service Education (ABFSE). The
8 funeral director course of study shall include at least thirty (30)
9 semester hours or equivalent closely following the ABFSE curriculum
10 standard, limited to only: Business Management, Cremation, Social
11 Sciences/Humanities, Legal, Ethical, Regulatory, plus essential
12 elements of embalming, restorative art, general concerns when
13 dealing with human remains, a practicum experience, and preparation
14 for the required board exams. In addition to the funeral director
15 course of study the applicant is required to complete at least sixty
16 (60) additional semester hours of study earned, measured in quarter
17 or clock hours, from a regionally accredited college or university
18 and must complete a twelve-month minimum term as a registered
19 apprentice with employment at a licensed establishment and must have
20 assisted with twenty-five arrangement conferences and assisted with
21 twenty-five separate funeral or memorial services under the
22 supervision of a licensed funeral director in this state. The
23 applicant may serve as a registered apprentice prior to enrollment
24 in an approved school of mortuary science, concurrently while in

1 mortuary school, or subsequent to completion of the funeral director
2 course of study.

3 2. Curriculum of study for a funeral director license shall be
4 in a program of mortuary science which shall be that prescribed by
5 the Oklahoma Funeral Board. An applicant must pay all fees as
6 provided in Section 396.4 of this title and pass an exam provided by
7 the International Conference of Funeral Service Examining Board with
8 a seventy-five (75) or higher as well as pass a law exam provided by
9 the Oklahoma Funeral Board, with a seventy-five (75) or higher. A
10 license to practice as a funeral director issued pursuant to this
11 subsection shall be restricted to funeral director, and the licensee
12 shall not be eligible to practice as the funeral director in charge
13 as defined in Section 396.2 of this title.

14 D. The Board shall issue the appropriate license to any
15 qualified applicant whose application has been approved by the
16 Board, and who has paid the fees required by Section 396.4 of this
17 title, has passed the required examinations with a seventy-five (75)
18 or higher score and has demonstrated to the Board proficiency as an
19 embalmer or funeral director.

20 E. The Board shall maintain for public inspection a list of all
21 accredited schools of embalming and mortuary science.

22 F. Each funeral director in charge as defined in Section 396.2
23 of this title shall have a current dual funeral director and
24 embalmer license. A funeral director in charge of a funeral service

1 establishment or crematory that does not have a current dual funeral
2 director and embalmer license on the effective date of this act
3 shall be considered to be grandfathered and may serve as funeral
4 director in charge of any funeral service establishment or crematory
5 in accordance with rules prescribed by the Board, but shall not
6 serve as funeral director in charge of a commercial embalming
7 establishment which shall require a current dual funeral director
8 and embalmer license.

9 G. Upon the effective date of this act, and for one (1) year
10 thereafter, the Board may issue a temporary funeral director or
11 embalmer license in the event a statewide state of emergency is
12 declared by the Governor and during such time as the state of
13 emergency is in effect.

14 SECTION 2. It being immediately necessary for the preservation
15 of the public peace, health or safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

1 Passed the House of Representatives the 9th day of March, 2021.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2021.

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8 Presiding Officer of the Senate