

**BILL SUMMARY**  
1<sup>st</sup> Session of the 58<sup>th</sup> Legislature

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| <b>Bill No.:</b>       | <b>SB354</b>                                       |
| <b>Version:</b>        | <b>ENGR</b>  |
| <b>Request Number:</b> | <b>NA</b>  |
| <b>Author:</b>         | <b>Davis</b>                                       |
| <b>Date:</b>           | <b>4/7/2021</b>                                    |
| <b>Impact:</b>         | <b>Please see previous summary of this measure</b> |

**Research Analysis**

SB 354 authorizes a person desiring to utilize an out-of-state funeral establishment located in the adjoining out-of-state county from the county where the death occurred to utilize such facility without a medical examiner's investigation or this state's requirement for an out-of-state transport permit or cremation permit if the deceased person died under certain circumstances outlined in the measure. The measure requires a signed release by the person legally entitled to take custody of the deceased person's body. The out-of-state funeral director is required to file the release statement with the Office of Chief Medical Examiner within 24 hours of taking custody of the body.

The person legally entitled to take custody of the deceased or the attending medical professional or physician is required to sign and file the death certificate within 72 hours after the death as provided in Oklahoma law. Prior to removing a dead body from this state, the measure requires the out-of-state funeral director to have on file with the Office of the Chief Medical Examiner of this state and the county sheriff of the county of this state that adjoins the out-of-state county where the funeral establishment is located, a certified copy of the license from the out-of-state funeral establishment and the funeral director's license. Removal and transport of a dead body pursuant to this measure requires the out-of-state funeral director to transport the body with the funeral establishment's private funeral vehicle.

The measure requires the out-of-state funeral director to personally sign and be responsible for filing the death certificate in this state.

The measure allows for further investigation into the cause of death if an attending medical professional, witness, law enforcement officer, or emergency first responder notifies the Chief Medical Examiner of the need for further investigation. In the event investigation into the cause of death is required, the body shall be held by the medical examiner until the investigation is completed. The measure prohibits the charging of a fee or the requirement of a permit for an eligible body to be transported from the county of death in this state to the adjoining out-of-state county as authorized by this act.

Lastly, the measure authorizes the Board of Medicolegal Investigations together with the Chief Medical Examiner to promulgate rules for this measure.

Prepared By: Dan Brooks

**Fiscal Analysis**

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

**Other Considerations**

None.

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