

1 ENGROSSED SENATE
2 BILL NO. 161

By: Daniels of the Senate

3 and

4 Kendrix of the House

5
6 An Act relating to professions and occupations;
7 amending 59 O.S. 2021, Section 396, which relates to
8 the Oklahoma Funeral Board; extending sunset date;
9 providing an effective date; and declaring an
10 emergency.

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

12 SECTION 1. AMENDATORY 59 O.S. 2021, Section 396, is
13 amended to read as follows:

14 Section 396. There is hereby re-created, to continue until ~~July~~
15 ~~1, 2023~~ July 1, 2024, in accordance with the provisions of the
16 Oklahoma Sunset Law, the Oklahoma Funeral Board. Any reference in
17 the statutes to the Oklahoma State Board of Embalmers and Funeral
18 Directors shall be a reference to the Oklahoma Funeral Board. The
19 Board shall consist of seven (7) persons, who shall be appointed by
20 the Governor. The term of membership of each member of the Board
21 shall be five (5) years from the expiration of the term of the
22 member succeeded. Any member having served as a member of the Board
23 shall be eligible for reappointment. Provided that, a member of the
24 Board shall serve no more than two consecutive terms and any

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

SECTION 2. This act shall become effective July 1, 2023.

SECTION 3. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 22nd day of February, 2023.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2023.

Presiding Officer of the House
of Representatives