

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 161

By: Daniels

AS INTRODUCED

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

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

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

Section 396. There is hereby re-created, to continue until ~~July~~  
~~1, 2023~~ July 1, 2024, in accordance with the provisions of the  
Oklahoma Sunset Law, the Oklahoma Funeral Board. Any reference in  
the statutes to the Oklahoma State Board of Embalmers and Funeral  
Directors shall be a reference to the Oklahoma Funeral Board. The  
Board shall consist of seven (7) persons, who shall be appointed by  
the Governor. The term of membership of each member of the Board  
shall be five (5) years from the expiration of the term of the  
member succeeded. Any member having served as a member of the Board  
shall be eligible for reappointment. Provided that, a member of the

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

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

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

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9 59-1-1057 MR 1/4/2023 5:47:42 PM