

An Act

ENROLLED HOUSE
BILL NO. 1688

By: Roe of the House

and

Stanley of the Senate

An Act relating to vital records; amending 63 O.S. 2021, Sections 1-301, 1-311, as last amended by Section 131, Chapter 452, O.S.L. 2024, 1-312, 1-315.1, 1-317, as last amended by Section 133, Chapter 452, O.S.L. 2024, 1-317a, 1-318, 1-318.2, 1-319, 1-321, as amended by Section 4, Chapter 87, O.S.L. 2022, 1-323, 1-329.1, (63 O.S. Supp. 2024, Sections 1-311, 1-317, and 1-321), which relate to vital statistics; adding a definition; updating statutory references; clarifying corrections to birth certificates, death certificates, and fetal death certificates; providing an effective date; and declaring an emergency.

SUBJECT: Vital records

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-301, is amended to read as follows:

Section 1-301. As used in this article:

1. "Vital statistics" means records of birth, death, fetal death and data related thereto;
2. "System of vital statistics" means the registration, collection, preservation, amendment and certification of vital statistics records, and activities related thereto, including the tabulation, analysis and publication of statistical data derived from such records;

3. "Filing" means the presentation of a certificate, report or other record provided for in this article, of a birth, death, fetal death or adoption, for registration by the ~~State~~ Commissioner of Health;

4. "Registration" means the acceptance by the ~~State~~ Commissioner of Health and the incorporation in his or her official records of certificates, reports or other records provided for in this article, of births, deaths, fetal deaths or adoptions;

5. "Live birth" means the complete expulsion or extraction from the mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached;

6. "Stillbirth" or "stillborn child" means a fetal death;

7. "Certificate of birth resulting in stillbirth" means a certificate issued to memorialize a stillborn child;

8. "Fetal death" means death prior to the complete expulsion or extraction from its mother of a product of human conception after the fetus has advanced to or beyond the twelfth week of uterogestation. The death is indicated by the fact that, after such expulsion or extraction, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles;

9. "Dead body" means an individual who is determined to be dead pursuant to the provisions of the Uniform Determination of Death Act;

10. "Final disposition" means the burial, interment, cremation, or other disposition of a dead body or fetus;

11. "Physician" means a person who is a member of the class of persons authorized to use the term "physician" pursuant to Section 725.2 of Title 59 of the Oklahoma Statutes;

12. "Institution" means any establishment, public or private, which provides inpatient medical, surgical or diagnostic care or

treatment, or nursing, custodial or domiciliary care, to two or more unrelated individuals, or to which persons are committed by law; ~~and~~

13. "Disinterment" means the recovery of human remains by exhumation or disinterment. "Disinterment" does not include the raising and lowering of remains to accommodate two interments within a single grave and does not include the repositioning of an outside burial container that encroaches on adjoining burial space; and

14. "Minor correction" means fixing a scrivener's error, correcting an error in the spelling of a name or word of common knowledge, filling in an erroneous omission, deleting an erroneous addition, or something similar. To obtain a minor correction, an applicant shall provide clear and convincing evidence of an objective error that was knowable at or near the time the certificate was made.

SECTION 2. AMENDATORY 63 O.S. 2021, Section 1-311, as last amended by Section 131, Chapter 452, O.S.L. 2024 (63 O.S. Supp. 2024, Section 1-311), is amended to read as follows:

Section 1-311. A. A certificate of birth for each live birth which occurs in this state shall be filed with the ~~State Registrar of Vital Statistics,~~ Commissioner of Health within seven (7) days after the birth.

B. When a birth occurs in an institution, the person in charge of the institution or a designated representative shall obtain the personal data, prepare the certificate and secure the signatures required by the certificate. The physician in attendance shall certify to the facts of birth and provide the medical information required by the certificate within five (5) days after the birth.

C. When a birth occurs outside an institution, the certificate shall be prepared and filed by one of the following in the indicated order of priority:

1. The physician in attendance at or immediately after the birth;

2. Any other person in attendance at or immediately after the birth; or

3. The father, the mother or, in the absence or inability of the father or mother, the person in charge of the premises where the birth occurred and present at the birth.

D. 1. If the mother was married at the time of birth, or married at any time during the three hundred (300) calendar days before the birth, the name of the husband shall be entered on the certificate as the father of the child unless paternity has been determined otherwise by a court of competent jurisdiction or a husband's denial of paternity form has been filed along with an affidavit acknowledging paternity, in which case the name of the father as determined by the court or affidavit acknowledging paternity shall be entered. If there is a refusal to identify paternity on the birth certificate, the State Department of Health is authorized to register a birth certificate as such.

2. If the mother was not married at the time of birth, nor married at any time during the three hundred (300) calendar days before the birth, the name of the father shall be entered on the certificate of birth only if:

- a. a determination of paternity has been made by an administrative action through the Department of Human Services or a court of competent jurisdiction, in which case the name of the father shall be entered, or
- b. the mother and father have agreed as to the biological paternity of the child and signed an ~~acknowledgement~~ acknowledgment of paternity pursuant to Section 1-311.3 of this title, or substantially similar affidavit from another state and filed it with the ~~State Registrar of Vital Statistics~~ Commissioner of Health.

This shall give the unmarried mother and biological father equal rights and obligations to the child. A child whose parentage has been determined as set forth shall be treated as a child of parents who were married at the time of the birth.

E. Either of the parents of the child shall sign the certificate of live birth worksheet to attest to the accuracy of the personal data entered thereon, in time to permit its filing within the seven (7) days prescribed in this section.

F. If the live birth results from a process in which the delivering mother was carrying the child of another woman by way of a prearranged legal contract, the original birth certificate shall be filed with the personal information of the woman who delivered the child. A new birth certificate will be placed on file once the ~~State Registrar Department~~ receives both a court order and a completed form prescribed by the ~~State Registrar Department~~ which identifies the various parties and documents the personal information of the intended parents necessary to complete the new birth certificate.

G. Beginning on ~~the effective date of this act~~ April 25, 2022, the biological sex designation on a certificate of birth issued under this section shall be either male or female and shall not be nonbinary or any symbol representing a nonbinary designation including but not limited to the letter "X".

SECTION 3. AMENDATORY 63 O.S. 2021, Section 1-312, is amended to read as follows:

Section 1-312. ~~(a)~~ A. Whoever assumes the custody of a living infant of unknown parentage shall report, on a form and in the manner prescribed by the ~~State~~ Commissioner of Health within seven (7) days to the ~~State Registrar~~ Commissioner of Health, the following information:

~~(1) the~~ 1. The date and place of finding;;

~~(2) sex~~ 2. Sex, color or race, and approximate age of child;;

~~(3) name~~ 3. Name and address of the persons or institution with whom the child has been placed for care;; and

~~(4) and other~~ 4. Other data required by the Commissioner.

~~(b)~~ B. The place where the child was found shall be entered as the place of birth and the date of birth shall be determined by approximation.

~~(c)~~ C. A report registered under this section shall constitute the certificate of birth for the infant.

~~(d)~~ D. If the child is identified and a certificate of birth is found or obtained, any report registered under this section shall be

sealed and filed and may be opened only by order of a court of competent jurisdiction.

SECTION 4. AMENDATORY 63 O.S. 2021, Section 1-315.1, is amended to read as follows:

Section 1-315.1. A. If a death certificate is required to settle a property or financial interest for a person who has allegedly died in this state twenty-five (25) years ago or longer, and the following determinations have been made:

1. The State ~~Registrar of Vital Statistics for this state~~ Department of Health has confirmed that a death certificate is not on file with the ~~State Department of Health~~;

2. The State ~~Registrar of Vital Statistics~~ Department has determined ~~that all due diligence has been performed and the~~ requirements of Section 1-317 of ~~Title 63 of the Oklahoma Statutes~~ this title requiring a death certificate to be filed cannot be met; and

3. The State ~~Registrar of Vital Statistics~~ Department has determined ~~that all due diligence has been performed and the~~ requirements of Section 1-314 of ~~Title 63 of the Oklahoma Statutes~~ this title for the filing of a delayed death certificate cannot be met; then a verified petition may be filed with the district court of the county where the death allegedly occurred for an order establishing a judicial record of death.

B. The verified petition shall contain the following:

1. The full legal name of the person who is allegedly deceased;
2. The date and place of birth of the decedent;
3. The age of the decedent;
4. The date and place of the death of the decedent;
5. The property or financial interest to be resolved;

6. The determinations of the ~~State Registrar of Vital Statistics~~ Department as required in paragraphs 2 and 3 of subsection A of this section; and

7. Other facts deemed pertinent, which include, but are not limited to, the parents or spouse of the decedent.

C. Upon the filing of the verified petition, the office of the court clerk for the county where the petition is filed shall give the petition a number in the probate files of the county. Notice of the verified petition shall be made upon the State Department of Health and published once in a newspaper of general circulation in the county where the petition is filed.

D. Based on the verified petition, all the evidence the applicant has in his or her possession such as personal testimony, affidavits or records and determinations of the ~~State Registrar of Vital Statistics~~ Department as required in paragraphs 2 and 3 of subsection A of this section, the court may enter an order:

1. Establishing the full legal name of the individual who is deceased;
2. The date and place of the birth of the decedent;
3. The age of the decedent;
4. The date and place where the death occurred;
5. The property or financial interest that is resolved; and
6. Other facts deemed pertinent by the court and as set forth in the verified petition.

Said order shall be final and conclusive of all the facts therein adjudged.

E. A certified copy of the order shall be filed with the State Department of Health, and a certified copy thereof shall be issued by the State Department of Health in the same manner as certificates of death.

F. Issuance of a certified copy of the order filed with the State Department of Health pursuant to this section shall satisfy any and all requirements set forth in any statute requiring a death certificate or order of any court requiring the issuance of a death certificate.

SECTION 5. AMENDATORY 63 O.S. 2021, Section 1-317, as last amended by Section 133, Chapter 452, O.S.L. 2024 (63 O.S. Supp. 2024, Section 1-317), is amended to read as follows:

Section 1-317. A. A death certificate for each death which occurs in this state shall be filed with the State Department of Health, within three (3) days after such death.

B. The funeral director shall personally sign the death certificate and shall be responsible for filing the death certificate. If the funeral director is not available, the person acting as such who first assumes custody of a dead body in accordance with Section 1158 of Title 21 of the Oklahoma Statutes shall personally sign and file the death certificate. The personal data shall be obtained from the next of kin or the best qualified person or source available. The funeral director or person acting as such shall notify the person providing the personal data that it is a felony to knowingly provide false data or misrepresent any person's relationship to the decedent. The certificate shall be completed as to personal data and delivered to the attending physician or the medical examiner responsible for completing the medical certification portion of the certificate of death within twenty-four (24) hours after the death. No later than July 1, 2012, the personal data, and no later than July 1, 2017, the medical certificate portion, shall be entered into the prescribed electronic system provided by the ~~State Registrar of Vital Statistics Department~~ and the information submitted to the ~~State Registrar of Vital Statistics Department~~. The resultant certificate produced by the electronic system shall be provided to the physician or medical examiner for medical certification within twenty-four (24) hours after the death.

C. The medical certification shall be completed and signed within forty-eight (48) hours after death by the physician, physician assistant, or advanced practice registered nurse in charge of the patient's care for the illness or condition which resulted in death, except when inquiry as to the cause of death is required by Section 938 of this title. No later than July 1, 2017, the medical certification portion of certificate data shall be entered into the prescribed electronic system provided by the ~~State Registrar of Vital Statistics Department~~ and the information submitted to the ~~State Registrar of Vital Statistics Department~~.

D. In the event that the physician, physician assistant, or advanced practice registered nurse in charge of the patient's care

for the illness or condition which resulted in death is not in attendance at the time of death, the medical certification shall be completed and signed within forty-eight (48) hours after death by the physician, physician assistant, or advanced practice registered nurse in attendance at the time of death, except:

1. When the patient is under hospice care at the time of death, the medical certification may be signed by the hospice's medical director; and

2. When inquiry as to the cause of death is required by Section 938 of this title.

Provided, that such certification, if signed by other than the attending physician, physician assistant, or advanced practice registered nurse, shall note on the face the name of the attending physician, physician assistant, or advanced practice registered nurse and that the information shown is only as reported.

E. A certifier completing cause of death on a certificate of death who knows that a lethal drug, overdose or other means of assisting suicide within the meaning of Sections 3141.2 through 3141.4 of this title caused or contributed to the death shall list that means among the chain of events under cause of death or list it in the box that describes how the injury occurred. If such means is in the chain of events under cause of death or in the box that describes how the injury occurred, the certifier shall indicate "suicide" as the manner of death.

F. The authority of a physician assistant to carry out the functions described in this section shall be governed by the practice agreement as provided by Section 519.6 of Title 59 of the Oklahoma Statutes.

SECTION 6. AMENDATORY 63 O.S. 2021, Section 1-317a, is amended to read as follows:

Section 1-317a. A. The State ~~Registrar of Vital Statistics~~ Department of Health shall make available to all funeral directors and physicians licensed in this state a system to electronically capture the required information and file the prescribed death certificate with the State Department of Health. Access to the prescribed electronic system shall be provided to registered users at no cost.

B. Funeral directors and physicians shall be registered with the ~~State Registrar of Vital Statistics~~ Department prior to using the prescribed electronic system. The ~~State Registrar of Vital Statistics~~ Department shall provide such registration at no cost.

C. Registration shall be updated at least annually to maintain access to the prescribed system and shall include training on any changes or updates to the prescribed system or associated forms. Funeral directors licensed in this state shall be trained on the use of the prescribed electronic system to file personal data on the prescribed death certificate. Physicians licensed in this state shall be trained on the use of the prescribed electronic system to complete, sign, and file the medical certification on the prescribed death certificate. The ~~State Registrar of Vital Statistics~~ Department shall provide the required training at no cost.

D. No later than July 1, 2012, funeral directors licensed in this state shall be required to sign and file death certificates using the prescribed electronic system.

E. No later than July 1, 2017, physicians licensed in this state shall be required to sign and file death certificates using the prescribed electronic system.

SECTION 7. AMENDATORY 63 O.S. 2021, Section 1-318, is amended to read as follows:

Section 1-318. ~~(a)~~ A. A fetal death certificate for each fetal death which occurs in this state shall be filed with the State ~~Registrar~~ Department of Health, within three (3) days after such delivery.

~~(b)~~ B. The funeral director or person acting as such who first assumes custody of a fetus shall file the fetal death certificate. In the absence of such a person, the physician or other person in attendance at or after the delivery shall file the certificate of fetal death. He or she shall obtain the personal data from the next of kin or the best qualified person or source available. He or she shall complete the certificate as to personal data and deliver the certificate to that person responsible for completing the medical certification of cause of death within twenty-four (24) hours after delivery.

~~(c)~~ C. The medical certification shall be completed and signed within forty-eight (48) hours after delivery by the physician in

attendance at or after delivery, except when inquiry into the cause of death is required by Section 938 of this title.

SECTION 8. AMENDATORY 63 O.S. 2021, Section 1-318.2, is amended to read as follows:

Section 1-318.2. The ~~State Registrar of Vital Statistics~~ Commissioner of Health shall establish a certificate of birth resulting in stillbirth to be offered to the parent or parents of a stillborn child. The medical staff treating the stillbirth shall notify the parent of the ability to request the certificate. The certificate shall be available to any parent of a stillborn child upon proper application. This certificate shall not be used as evidence of live birth or for identification purposes.

SECTION 9. AMENDATORY 63 O.S. 2021, Section 1-319, is amended to read as follows:

Section 1-319. A. A burial transit permit issued under the laws of another state which accompanies a dead body or fetus brought into this state shall be authority for final disposition of the body or fetus in this state.

B. A disinterment permit shall be required prior to disinterment of a dead body or fetus except as authorized by regulation or otherwise provided by law. Such permit shall be issued by the ~~State Registrar of Vital Records~~ Commissioner of Health to a licensed funeral director, embalmer, or other person acting as such, upon proper application.

C. Application for a disinterment shall include the consent of the next of kin. The consent of the next of kin shall be completed by the next of kin in order of priority as established in Section 1158 of Title 21 of the Oklahoma Statutes.

D. If the dead body or fetus is to be disinterred and reinterred in the same cemetery, a disinterment permit is not required.

E. If the dead body or fetus is to be disinterred and reinterred in the same cemetery, a notice of disinterment and reinterment shall be completed, signed by the funeral director and the next of kin, and then submitted to the ~~State Registrar of Vital Records~~ at the State Department of Health within five (5) days of such action.

F. The forms for the Disinterment Permit and Notice of Disinterment and Reinterment shall be obtained from the ~~State Registrar of Vital Records~~ Department.

SECTION 10. AMENDATORY 63 O.S. 2021, Section 1-321, as amended by Section 4, Chapter 87, O.S.L. 2022 (63 O.S. Supp. 2024, Section 1-321), is amended to read as follows:

Section 1-321. A. A certificate or record registered under this article may be amended only in accordance with this article and regulations thereunder adopted by the ~~State~~ Commissioner of Health to protect the integrity and accuracy of vital statistics records.

B. A certificate that is amended under this section shall be marked "amended", except as provided in subsection D of this section. The date of amendment and a summary description of the evidence submitted in support of the amendment shall be endorsed on or made a part of the record.

The Commissioner shall prescribe by regulation the conditions under which additions or minor corrections shall be made to birth certificates within one (1) year after the date of birth without the certificate being considered as amended. Certificates shall be marked as "amended" for minor corrections made one (1) year after the date of birth.

C. Upon receipt of a certified copy of a court order, from a court of competent jurisdiction, changing the name of a person born in this state and upon request of such person or his or her parent, guardian or legal representative, the ~~State~~ Commissioner of Health shall amend the certificate of birth to reflect the new name.

D. When a child is born out of wedlock, the Commissioner shall amend a certificate of birth to show paternity, if paternity is not currently shown on the birth certificate, in the following situations:

1. Upon request and receipt of a sworn acknowledgment of paternity of a child born out of wedlock signed by both parents;

2. Upon receipt of a certified copy of a court order adjudicating paternity; or

3. Upon receipt of an electronic record from the Department of Human Services indicating that an ~~acknowledgement~~ acknowledgment of paternity has been signed by both parents or a court order adjudicating paternity.

E. For a child born out of wedlock, the Commissioner shall also change the surname of the child on the certificate:

1. To the specified surname upon receipt of acknowledgment of paternity signed by both parents, upon receipt of a certified copy of a court order directing such name be changed or upon receipt of an electronic record from the Department of Human Services indicating that an ~~acknowledgement~~ acknowledgment of paternity has been signed by both parents or a court order directs such name change. Such certificate amended pursuant to this subsection shall not be marked "amended"; or

2. To the surname of the mother on the birth certificate in the event the acknowledgment of paternity is rescinded.

F. The Commissioner shall have the power and duty to promulgate rules for situations in which the ~~State Registrar of Vital Statistics~~ Department receives false information regarding the identity of a parent.

G. If within ~~sixty (60) days~~ one (1) year of the initial issuance of a certificate of death, a funeral director, or a person acting as such, requests a correction to any portion of the death record except the information relating to the medical certification portion, due to a scrivener's error, misspelling or other correction of information, the Commissioner of Health, through the State Registrar of Vital Statistics, shall amend the record, provided the request is made in writing or through an electronic system and is accompanied by documentation disclosing the correct information or by a sworn statement of the funeral director. The funeral director, or person acting as such, shall be responsible for any and all amendment fees that may be imposed by the Commissioner of Health for the correction. Up to ten certified copies containing the erroneous original information may be exchanged for certified copies containing the corrected information at no additional cost.

H. Beginning ~~on the effective date of this act~~ April 26, 2022, the biological sex designation on a certificate of birth amended under this section shall be either male or female and shall not be

nonbinary or any symbol representing a nonbinary designation including but not limited to the letter "X".

SECTION 11. AMENDATORY 63 O.S. 2021, Section 1-323, is amended to read as follows:

Section 1-323. A. To protect the integrity of vital statistics records, to ensure their proper use, and to ensure the efficient and proper administration of the vital statistics system, it shall be unlawful for any person to permit inspection of, or to disclose information contained in, vital statistics records, or to copy or issue a copy of all or part of any such record except to:

1. The person who is the subject of the record;
2. A parent named on the record or a person acting with the parent's permission unless that parent is currently incarcerated;
3. Someone acting with permission of the person who is the subject of the record;
4. Someone acting as a legal representative of the estate of the person who is the subject of the record;
5. Someone acting as a legal representative of a person involved in a probate of the estate of the person who is the subject of the record, as demonstrated by affidavit;
6. An attorney licensed to practice in the United States who demonstrates by affidavit that the record is necessary in order to administer a client's estate;
7. Someone in receipt of a court order from a court of competent jurisdiction ordering access to the record;
8. The Attorney General or to any district attorney upon request in the course of a criminal investigation;
9. Only in the case of a death certificate, a funeral director;
10. A representative of the Department of Corrections, when the subject of the record is under supervision of the Department of Corrections;

11. A representative of the Department of Human Services acting in accordance with Section 1-311.2 of this title; or

12. Any other person working in the best interest of the subject of the record or the estate of the subject of record, as determined by regulations of the ~~State~~ Commissioner of Health.

Provided, that death certificates shall be considered publicly available records fifty (50) years after the death and birth certificates shall be considered publicly available records one hundred twenty-five (125) years after the birth.

B. The State Department of Health shall, by July 1, 2017, make available an online public index that includes, as is applicable, the name, gender, date of birth, date of death, county of birth, and county of death of all persons in its records. Birth data shall not be added to the index until twenty (20) years after the birth. Death data shall not be added to the index until five (5) years after the death. The index shall be made available online at no cost to users.

Private entities may request assistance from the Department in receiving digital files including all or part of the index described in this subsection. Such private entities may be assessed a fee that shall not exceed the cost of creating and transmitting the digital file. The Commissioner may promulgate rules regarding access to such digital files and applicable fees.

C. The Department may grant applications for electronic verification of the existence of birth and death certificates for legal and administrative purposes at any time following the birth or death when such applications are made by:

1. A government agency in conduct of its official business;

2. A benefit-paying party including but not limited to an annuity company, pension plan or life insurance company in order to determine benefit status;

3. A physician licensed to practice in the United States to determine if a patient has been lost to care; or

4. Other entities for fraud protection, subject to verification of the entity's purpose by the Department.

The recipient of a record verification, as provided for in this subsection, may not disclose to a party not involved in the issue for which the verification was sought.

The Department may charge up to Four Dollars (\$4.00) for each electronic birth or death verification, although such fee may be waived when such request is received by an Oklahoma state or local government agency. The recipient of a record verification, as provided for in this subsection, may also be subject to fees levied by a contractor retained by the Commissioner to provide such service.

The Commissioner may promulgate rules necessary to implement the provisions of this subsection.

D. The ~~State~~ Commissioner of Health may authorize the disclosure of data contained in vital statistics records for public health surveillance or research purposes.

E. The State Department of Health shall transmit to the Department of Public Safety:

1. At the end of each quarter year, a list of all registered deaths which have occurred during such period of time. Upon receipt of such list the Department of Public Safety shall use such list solely to update Department of Public Safety records and to cancel the driver license for those deceased individuals with a valid Oklahoma driver license at the time of death;

2. At the end of each month, a report of all registered deaths that resulted from a motor vehicle collision which have occurred during such period of time. The report shall be used by the Department solely for the purpose of statistical analysis and reporting; and

3. Upon written request from the Department, a death certificate. The certificate shall be used solely by the Fatality Analysis Reporting System (FARS) Analyst of the Oklahoma Highway Safety Office to populate the federal FARS database.

F. Each month, the Commissioner shall authorize the transmission to the Oklahoma Health Care Authority of a certified list of all registered deaths of residents of this state that have occurred within the state for the immediately preceding month. The Oklahoma Health Care Authority shall use the transmitted list to

ascertain the names of those individuals participating in the state Medicaid program who are deceased, and shall thereafter terminate such deceased person's enrollment in the state Medicaid program.

G. For the purpose of assisting in the location and recovery of missing children, information pertaining to birth certificates and requests for copies of birth certificates shall be provided to the Oklahoma State Bureau of Investigation pursuant to the provisions of Section 1-323.1 of this title and Section 150.12A of Title 74 of the Oklahoma Statutes.

H. The Commissioner shall authorize the transmission of death certificates to the Department of Labor for the purpose of the Department of Labor conducting a census of total occupational injuries and illnesses. The Department shall transmit to the Department of Labor statistics of fatal occupational injuries that shall include the following:

1. Name of the deceased;
2. Date of death;
3. Sex;
4. Race;
5. Age;
6. Birth date;
7. Social Security number;
8. Whether an autopsy was conducted;
9. Month of the accident; and
10. Whether decedent was of Hispanic origin.

I. The Department of Labor shall be required to protect the integrity of the vital statistics records to the same extent required of the Department pursuant to this section.

SECTION 12. AMENDATORY 63 O.S. 2021, Section 1-329.1, is amended to read as follows:

Section 1-329.1. Until a permit for disposal has been issued in accordance with this section, no dead human body whose death occurred within the State of Oklahoma shall be cremated, buried at sea, or made unavailable for further pathologic study by other recognized means of destruction or dissolution of such remains.

When the person legally responsible for disposition of a dead human body, whose death occurred or was pronounced within this state, desires that the body be cremated, buried at sea, or made unavailable for further pathologic study by other recognized means of destruction or dissolution of such remains, that person shall complete an application-permit form for such procedure provided by the Office of the Chief Medical Examiner. The Office of the Chief Medical Examiner, in accordance with Section 948.1 of this title, shall charge a fee for each cremation permit issued. The Medical Examiner shall be notified, as required in Section 938 of this title. He or she shall perform the required investigation and shall issue a valid death certificate as required by Section 947 of this title and execute the permit in accordance with rules established by the Office of the Chief Medical Examiner. In order to be valid, each permit must contain an individual number assigned to the particular permit by the Office of the Chief Medical Examiner. A copy of the application-permit form and the original death certificate shall be filed with the State ~~Registrar~~ Department of Health. The original application-permit form shall be filed by the funeral director with the Office of the Chief Medical Examiner. Such filing shall occur or be postmarked within forty-eight (48) hours of the death.

If death occurred or was pronounced outside the geographic limits of the State of Oklahoma and the body is brought into this state for such disposal, a transit permit or a permit for removal, issued in accordance with the laws and regulations in force where the death occurred shall authorize the transportation of the body into or through this state and shall be accepted in lieu of a certificate of death as required above. A valid permit issued for disposal of such body in accordance with the laws in the jurisdiction where the body died or death was pronounced shall be authority for cremation or burial at sea or to make the body otherwise unavailable for further pathologic study by other recognized means of destruction or dissolution of such remains.

SECTION 13. This act shall become effective July 1, 2025.

SECTION 14. 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 House of Representatives the 13th day of March, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 28th day of April, 2025.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____