

1 **SENATE FLOOR VERSION**

2 April 10, 2025

3 ENGROSSED HOUSE
4 BILL NO. 2286

By: Hilbert of the House

and

5 Coleman of the Senate
6
7

8 An Act relating to professions and occupations;
9 creating the assistant funeral director license;
10 establishing license application requirements;
11 creating license procedures; amending 59 O.S. 2021,
12 Section 396, as amended by Section 1, Chapter 32,
O.S.L. 2023 (59 O.S. Supp. 2024, Section 396),
13 modifying sunset date; providing for codification;
14 providing an effective date; and declaring an
15 emergency.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 396.3b of Title 59, unless there
19 is created a duplication in numbering, reads as follows:

20 A. The term "assistant funeral director" as herein used means a
21 person who assists a duly Oklahoma-licensed funeral director in one
22 or more of the principal functions of funeral directing, and is
23 actively engaged in such work. An assistant funeral director shall
24 be an employee of the funeral director-in-charge under whom the
employee is registered, and shall be a person to whom the funeral

1 director-in-charge delegates the responsibility of conducting
2 funeral services, making funeral arrangements, and making
3 interments.

4 B. The Oklahoma Funeral Board may, in its discretion, license
5 assistant funeral directors to each Oklahoma-licensed funeral
6 director-in-charge. The funeral director-in-charge shall have only
7 one assistant funeral director. Licensure as an assistant funeral
8 director shall be separate and distinct from registration as an
9 apprentice funeral director and/or embalmer. The Board may issue an
10 assistant funeral director license on successful completion of the
11 Oklahoma Funeral Board Law examination, the manner and form of which
12 is to be determined by the Board, and upon the payment of the
13 application fee which shall include the license fee for the current
14 year or portion thereof, and such application and registration and
15 renewal fee shall be in the amount fixed by the Board in accordance
16 with the provision of Section 396.4 of Title 59 of the Oklahoma
17 Statutes. Before issuing a license to an applicant for an assistant
18 funeral director's license, the Board shall require satisfactory
19 proof that the applicant is capable and trustworthy to act as such
20 and that the applicant is a person of good moral character, has a
21 good standing in the community and is qualified to engage in the
22 business. In determining the moral character of any such applicant,
23 the Board shall take into consideration any felony conviction of
24 such person, but such conviction shall not automatically operate as

1 a bar to licensure. Each person applying for an assistant funeral
2 director's license shall make application and be recommended in
3 writing on forms provided by the Board. The application shall show
4 that the applicant is at least eighteen (18) years of age and shall
5 have at least sixty (60) semester hours of study earned, measured in
6 quarter or clock hours, from a regionally accredited college or
7 university before such license can be issued to the applicant. Upon
8 issuing a license to an assistant funeral director, as herein
9 provided, the Board shall cause the licensee to be registered under
10 the supervision of the Oklahoma-licensed funeral director by whom
11 such licensee is employed and under whom such licensee is
12 registered. The funeral director under whom the assistant funeral
13 director has been registered must immediately notify the Board when
14 the licensee has left the director's employ. Upon the re-employment
15 of the licensee by any other funeral director-in-charge, such
16 licensee shall be reinstated by the Board. The work of an assistant
17 funeral director shall at all times be under the supervision and
18 control of the Oklahoma-licensed funeral director under whom the
19 licensee is registered. Licenses of assistant funeral directors may
20 be suspended or revoked, or the Board may refuse to issue or renew
21 the same, for any of the reasons and in the manner stated herein for
22 funeral directors' licenses.

23 C. The expiration date of each license shall be December 31.
24 Subject to the provisions of this section, each license shall be

1 renewable on an annual basis upon the filing of a renewal
2 application prior to the expiration date of the license and upon
3 payment of the renewal fee.

4 D. The assistant funeral director shall complete continuing
5 education in accordance with the provision of Section 396.5b of
6 Title 59 of the Oklahoma Statutes.

7 SECTION 2. AMENDATORY 59 O.S. 2021, Section 396, as
8 amended by Section 1, Chapter 32, O.S.L. 2023 (59 O.S. Supp. 2024,
9 Section 396), is amended to read as follows:

10 Section 396. There is hereby re-created, to continue until July
11 1, ~~2024~~ 2029, in accordance with the provisions of the Oklahoma
12 Sunset Law, the Oklahoma Funeral Board. Any reference in the
13 statutes to the Oklahoma State Board of Embalmers and Funeral
14 Directors shall be a reference to the Oklahoma Funeral Board. The
15 Board shall consist of seven (7) persons, who shall be appointed by
16 the Governor. The term of membership of each member of the Board
17 shall be five (5) years from the expiration of the term of the
18 member succeeded. Any member having served as a member of the Board
19 shall be eligible for reappointment. Provided that, a member of the
20 Board shall serve no more than two consecutive terms and any
21 unexpired term that a member is appointed to shall not apply to this
22 limit. The Governor shall appoint the necessary members to the
23 Board upon vacancies and immediately prior to the expiration of the
24 various terms. Upon request of the Governor, appointments of a

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

21 SECTION 3. This act shall become effective July 1, 2025.

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

3 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND INSURANCE
4 April 10, 2025 - DO PASS

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