

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 3660

By: Dempsey

6 AS INTRODUCED

7 An Act relating to professions and occupations;
8 amending 59 O.S. 2021, Section 396.2, which relates
9 to definitions; modifying certain terms to include
natural organic reduction; amending 59 O.S. 2021,
Section 396.5, which relates to license renewal;
modifying fees; and providing an effective date.

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

14 SECTION 1. AMENDATORY 59 O.S. 2021, Section 396.2, is
15 amended to read as follows:

16 Section 396.2. As used in the Funeral Services Licensing Act:

17 1. "Embalmer" means a person who disinfects or preserves dead
18 human remains, entire or in part, by the use of chemical substances,
19 fluids or gases in the remains, or by the introduction of same into
20 the remains by vascular or hypodermic injection, or by direct
21 application into organs or cavities;

22 2. "Funeral director" means a person who:

23 a. is engaged in or conducts or represents themselves as
24 being engaged in preparing for the burial or disposal

and directing and supervising the burial or disposal of dead human remains,

b. is engaged in or conducts or represents themselves as being engaged in maintaining a funeral establishment for the preparation and the disposition, or for the care of dead human remains,

c. uses, in connection with the name of the person or funeral establishment, the words "funeral director" or "undertaker" or "mortician" or any other title implying that the person is engaged as a funeral director,

- d. sells funeral service merchandise to the public, or
- e. is responsible for the legal and ethical operation of a crematory;

3. "Funeral establishment" means a place of business used in

16 the care and preparation for burial, commercial embalming, or
17 transportation of dead human remains, or any place where any person
18 or persons shall hold forth and be engaged in the profession of
19 undertaking or funeral directing;

20 4. "Apprentice" means a person who is engaged in learning the
21 practice of embalming or the practice of funeral directing, as the
22 case may be, under the instruction and personal supervision of a
23 duly licensed embalmer or a duly licensed funeral director of and in
24 the State of Oklahoma, pursuant to the provisions of the Funeral

1 Services Licensing Act, and who is duly registered as such with said
2 Board;

3 5. "Board" means the Oklahoma Funeral Board;

4 6. "Directing a funeral" or "funeral directing" means directing
5 funeral services from the time of the first call until final
6 disposition or release to a common carrier or release to next of kin
7 of the deceased or the designee of the next of kin;

8 7. "First call" means the beginning of the relationship and
9 duty of the funeral director to take charge of dead human remains
10 and have such remains prepared by embalming, cremation, or
11 otherwise, for burial or disposition, provided all laws pertaining
12 to public health in this state are complied with. First call does
13 not include calls made by ambulance, when the person dispatching the
14 ambulance does not know whether or not dead human remains are to be
15 picked up;

16 8. "Personal supervision" means the physical presence of a
17 licensed funeral director or embalmer at the specified time and
18 place of the providing of acts of funeral service;

19 9. "Commercial embalming establishment" means a fixed place of
20 business consisting of an equipped preparation room, and other rooms
21 as necessary, for the specified purpose of performing preparation
22 and shipping services of dead human remains to funeral
23 establishments inside and outside this state;

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1 10. "Funeral service merchandise or funeral services" means
2 those products and services normally provided by funeral
3 establishments and required to be listed on the General Price List
4 of the Federal Trade Commission, 15 U.S.C., Section 57a(a),
5 including, but not limited to, the sale of burial supplies and
6 equipment, but excluding the sale by a cemetery of lands or
7 interests therein, services incidental thereto, markers, memorials,
8 monuments, equipment, crypts, niches or outer enclosures;

9 11. "Outer enclosure" means a grave liner, grave box, or grave
10 vault;

11 12. "Funeral director in charge" means an individual licensed
12 as both a funeral director and embalmer designated by a funeral
13 service establishment, commercial embalming establishment, or
14 crematory who is responsible for the legal and ethical operation of
15 the establishment and is accountable to the Board;

16 13. "Authorizing agent" means a person legally entitled to
17 order the cremation or final disposition of particular human remains
18 pursuant to Section 1151 or 1158 of Title 21 of the Oklahoma
19 Statutes;

20 14. "Cremation" means the technical process, using heat and
21 flame, or heat and pressure, or heat, moisture, and organic material
22 that reduces human remains to essential elements, including bone
23 fragments. The reduction takes place through heat and evaporation.
24 Cremation shall include, but not be limited to, the processing and

1 pulverization of the bone fragments, or through alkaline hydrolysis,
2 or through organic reduction;

3 15. "Crematory" means a structure containing a furnace or
4 alkaline hydrolysis vessel or natural organic reduction vessel used
5 or intended to be used for the cremation of human remains. The term
6 includes a facility that cremates human remains through alkaline
7 hydrolysis; and

8 16. "Alkaline hydrolysis" means the reduction of human remains
9 to bone fragments and essential elements in a licensed crematory
10 using heat, pressure, water and base chemical agents; and

11 17. "Natural organic reduction" means the contained accelerated
12 reduction and conversion of human remains to soil in a licensed
13 crematory using heat, water, and organic material.

14 SECTION 2. AMENDATORY 59 O.S. 2021, Section 396.5, is
15 amended to read as follows:

16 Section 396.5. All licenses issued by the Board shall expire on
17 the 31st day of December of each year. The Board shall issue a
18 renewal for such license without further examination upon the
19 payment of a renewal fee as required by Section 396.4 of this title.
20 A funeral director or embalmer who fails to apply for a renewal
21 license for a period of three (3) years or more shall be reinstated
22 by taking a written and oral examination, as required by the Board,
23 and by paying a fee of Twenty-five Dollars (\$25.00) and the current
24 year's dues as required by Section 396.4 of this title.

1 SECTION 3. This act shall become effective November 1, 2026.

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