

An Act

ENROLLED SENATE

BILL NO. 327

By: Dahm of the Senate

and

Cleveland of the House

An Act relating to cemeteries; amending 8 O.S. 2011, Sections 88 and 143, which relate to disposition of dead bodies at certain state facilities; updating statutory language; removing reference to certain act; repealing 8 O.S. 2011, Sections 81, 82, 83, 84, 85, 86, 87, 90, 91, 94, 111, 112, 113, 114, 115, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140 and 141, which relate to Indian and township cemeteries, certain cemetery associations, cemetery funds and county cemetery associations; and providing an effective date.

SUBJECT: Cemetary operations

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

SECTION 1. AMENDATORY 8 O.S. 2011, Section 88, is amended to read as follows:

Section 88. A. The superintendents or wardens of state ~~penal, reformatory and eleemosynary institutions~~ correctional facilities, of state hospitals and of state institutions ~~for the benefit of the mentally ill, blind, deaf, mute, tubercular and epileptic~~ are hereby authorized and directed to remove the bodies of the deceased inmates or patients from ~~said~~ such facilities and institutions, that are not claimed for private burial by friends or relatives thereof within ninety-six (96) hours after ~~their~~ the death, and ~~said~~ the

superintendent or warden of ~~said~~ such facility or institution shall notify the friends or relatives of ~~said the~~ deceased inmate or patient by registered mail ~~or telegram~~ of the death of ~~said the~~ deceased inmate or patient at ~~their~~ the last known place of residence, if known, in accordance with ~~the provisions of 63 O.S. 1951 Section 91-100~~ state law and agency rules.

B. When the State Anatomical Board rejects the body of a deceased inmate or patient, the superintendent or warden of that facility or institution shall have the rejected body buried in lands of ~~said that facility or institution~~ set aside for such purpose, or in such place authorized by law or agency rule. Provided, that the expenses of such burials shall be paid from the support and maintenance appropriation or any other appropriation made for the operating expenses of the facility or institution.

SECTION 2. AMENDATORY 8 O.S. 2011, Section 143, is amended to read as follows:

Section 143. In any county of this state ~~wherein a county cemetery association has not been organized, as authorized by 8 O.S. 1951, Sections 131-141, inclusive, or has ceased to function after organization,~~ the board of county commissioners is hereby authorized and empowered to utilize employees under ~~their~~ its jurisdiction and county-owned tools, machinery, equipment, and materials for the purposes of opening and closing graves and maintaining and improving any publicly owned cemetery or other cemetery within the county not owned and maintained by an individual or private organization; provided that, where appropriate, a reasonable fee, not to exceed the actual cost of the service, may be charged for such services.

SECTION 3. REPEALER 8 O.S. 2011, Sections 81, 82, 83, 84, 85, 86, 87, 90, 91, 94, 111, 112, 113, 114, 115, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140 and 141, are hereby repealed.

SECTION 4. This act shall become effective November 1, 2015.

Passed the Senate the 30th day of April, 2015.

Arthur Cohn
Presiding Officer of the Senate

Passed the House of Representatives the 23rd day of April, 2015.

Joe R. Donnelly
Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 4th

day of May, 20 15, at 3:32 o'clock P M.

By: Audrey Radwell

Approved by the Governor of the State of Oklahoma this 8th

day of May, 20 15, at 10:37 o'clock A M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 8th

day of May, 20 15, at 3:21 o'clock P M.

By: Chris Benz