

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 1827

By: Martin and Sherrer of the
House

and

Standridge of the Senate

8 An Act relating to professions and occupations;
9 amending 59 O.S. 2011, Section 396.4, which relates
10 to Funeral Services Licensing Act; modifying fees;
11 and providing an effective date.

12 AUTHOR: Add the following Senate Coauthor: Sharp

13 AMENDMENT NO. 1. Page 1, substitute the following for the title,
14 enacting clause and the entire body of the bill:

15 "[professions and occupations - Funeral Services
16 Licensing Act - effective date]

17
18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. AMENDATORY 59 O.S. 2011, Section 396.4, is
20 amended to read as follows:

21 Section 396.4 A. 1. The Oklahoma Funeral Board shall set fees
22 pursuant to rule for all licenses, registrations, examinations, and
23 renewals required by the Funeral Services Licensing Act.

1 2. Until the Oklahoma Funeral Board sets fees pursuant to
2 ~~subsection B of this section~~ rule, the following shall be the fees
3 charged for the licenses, registrations, and examinations required
4 by the Funeral Services Licensing Act:

5	Funeral Director License or Renewal	\$75.00
6	Embalmer License or Renewal	\$75.00
7	Registration for Funeral Director/Embalmer Apprentice	\$150.00
8	Extension of Funeral Director/Embalmer Apprentice	\$150.00
9	Embalmer Examination	\$100.00
10	Funeral Director Examination	\$100.00
11	State Law Examination	\$100.00
12	Funeral Establishment License or Renewal	\$250.00
13	Commercial Embalming Establishment License or Renewal	\$250.00
14	Reciprocal License for Funeral Director or Embalmer	\$150.00
15	Change of Funeral Director in Charge	\$150.00
16	Crematory License <u>or Renewal</u>	\$250.00

17 B. The Oklahoma Funeral Board shall ~~set the fees by rule for~~
18 ~~those activities listed in subsection A of this section~~ assess Three
19 Dollars (\$3.00) for each disposition performed by the licensed
20 funeral establishment or commercial embalming establishment. The
21 disposition fee shall be payable upon renewal of the license as
22 provided in subsection E of this section and shall be calculated
23 from November 1 of the preceding calendar year to October 31 of the
24 current calendar year for each licensee. For purposes of this

1 subsection, "disposition" means each time the licensed establishment
2 files an original death certificate pursuant to Section 1-317 of
3 Title 63 of the Oklahoma Statutes.

4 C. Fees for funeral director, embalmer, and state law
5 examinations shall be paid prior to the scheduled examination. An
6 examination fee shall not be refundable.

7 D. The Oklahoma Funeral Board is authorized to determine and
8 fix special administrative service fees. Each such fee shall not be
9 in excess of Two Hundred Dollars (\$200.00).

10 E. If any renewal fee required by this section is not paid on
11 or before December 31 of each year, the amount of the fee shall be
12 doubled and if the fee is not paid on or before April 30 of the
13 subsequent year, the licensee shall be in default and the license
14 shall terminate automatically.

15 F. All examinations of the Oklahoma Funeral Board shall be
16 exempt from the Oklahoma Open Records Act in order to maintain the
17 integrity of the examination process. Copies of completed
18 examinations shall only be released upon receipt of a court order
19 from a court of competent jurisdiction.

20 SECTION 2. This act shall become effective November 1, 2015."

21 and when the title is restored, amend the title to
22 conform

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1 ENGROSSED HOUSE
2 BILL NO. 1827

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3 and

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7 An Act relating to professions and occupations;
8 amending 59 O.S. 2011, Section 396.4, which relates
9 to Funeral Services Licensing Act; modifying fees;
10 and providing an effective date.

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

12 SECTION 3. AMENDATORY 59 O.S. 2011, Section 396.4, is
13 amended to read as follows:

14 Section 396.4 A. ~~Until the Oklahoma Funeral Board sets fees~~
15 ~~pursuant to subsection B of this section, the~~ The following shall be
16 the fees charged for the licenses, registrations, and examinations
17 required by the Funeral Services Licensing Act:

18 Funeral Director License or Renewal	\$75.00
19 Embalmer License or Renewal	\$75.00
20 Registration for Funeral Director/Embalmer Apprentice	\$150.00
21 Extension of Funeral Director/Embalmer Apprentice	\$150.00
22 Embalmer Examination	\$100.00
23 Funeral Director Examination	\$100.00
24 State Law Examination	\$100.00

1	Funeral Establishment License or Renewal	\$250.00
2	Commercial Embalming Establishment License or Renewal	\$250.00
3	Reciprocal License for Funeral Director or Embalmer	\$150.00
4	Change of Funeral Director in Charge	\$150.00
5	Crematory License <u>Renewal</u>	\$250.00

6 A funeral establishment license renewal shall be Two Hundred
7 Fifty Dollars (\$250.00), plus Three Dollars (\$3.00) for each
8 disposition performed by the establishment from November 1 of the
9 immediately preceding calendar year to October 31 of the current
10 calendar year. For purposes of this subsection, a funeral
11 establishment performs a disposition each time the establishment
12 files an original death certificate pursuant to Section 1-317 of
13 Title 63 of the Oklahoma Statutes.

14 A commercial embalming establishment license renewal shall be
15 Two Hundred Fifty Dollars (\$250.00), plus Three Dollars (\$3.00) for
16 each disposition performed by the commercial embalming establishment
17 from November 1 of the immediately preceding calendar year to
18 October 31 of the current calendar year. For purposes of this
19 subsection, a commercial establishment performs a disposition each
20 time the establishment files an original death certificate pursuant
21 to Section 1-317 of Title 63 of the Oklahoma Statutes.

22 B. The Oklahoma Funeral Board shall set the fees by rule for
23 those activities not listed in subsection A of this section.
24

1 C. Fees for funeral director, embalmer, and state law
2 examinations shall be paid prior to the scheduled examination. An
3 examination fee shall not be refundable.

4 D. The Oklahoma Funeral Board is authorized to determine and
5 fix special administrative service fees. Each such fee shall not be
6 in excess of Two Hundred Dollars (\$200.00).

7 E. If any renewal fee required by this section is not paid on
8 or before December 31 of each year, the amount of the fee shall be
9 doubled and if the fee is not paid on or before April 30 of the
10 subsequent year, the licensee shall be in default and the license
11 shall terminate automatically.

12 F. All examinations of the Oklahoma Funeral Board shall be
13 exempt from the Oklahoma Open Records Act in order to maintain the
14 integrity of the examination process. Copies of completed
15 examinations shall only be released upon receipt of a court order
16 from a court of competent jurisdiction.

17 SECTION 4. This act shall become effective November 1, 2015.
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1 Passed the House of Representatives the 11th day of March, 2015.

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3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2015.

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9 Presiding Officer of the Senate