

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 301

By: Bergstrom

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6 AS INTRODUCED

7 An Act relating to medicolegal investigations;
8 directing the Chief Medical Examiner to conduct
9 certain review and submit recommendations to the
10 Legislature and the Governor by certain date; stating
11 criteria of recommendations; providing for
12 codification; and providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 938.1 of Title 63, unless there
16 is created a duplication in numbering, reads as follows:

17 The Chief Medical Examiner shall conduct a review of the
18 necessity of the requirement provided by Section 938 of Title 63 of
19 the Oklahoma Statutes that a medicolegal investigation be conducted
20 on every dead body that is to be transported out of state, and shall
21 submit to the President Pro Tempore of the Senate, the Speaker of
22 the House of Representatives and the Governor no later than November
23 1, 2022, recommendations on whether to modify or remove the
24 requirement. The recommendations may include, but shall not be
limited to:

1 1. Types of deaths that should or should not qualify;

2 2. What, if any, documentation beyond that currently required
3 by law should be required of the out-of-state funeral director or
4 the person legally entitled to take custody of the dead body;

5 3. Authorized modes of transport of the dead body; and

6 4. Laws, rules or procedures to ensure:

7 a. the compliance of the out-of-state funeral director
8 with applicable laws and rules of this state,

9 b. the timely provision by the out-of-state funeral
10 director and person legally entitled to take custody
11 of the dead body of documentation currently required
12 by law and any additional documentation deemed
13 necessary by the Chief Medical Examiner, and

14 c. the ability of a law enforcement officer of this
15 state, the district attorney and the Chief Medical
16 Examiner to investigate deaths as needed including,
17 but not limited to, through the return of the dead
18 body to this state upon request of the respective
19 entity.

20 SECTION 2. This act shall become effective November 1, 2021.

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