

1 ENGROSSED SENATE AMENDMENT
2 TO
3 ENGROSSED HOUSE
4 BILL NO. 2286

5 By: Hilbert of the House

6 and

7 Coleman of the Senate

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

18 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
19 entire bill and insert

20 "An Act relating to professions and occupations;
21 amending 59 O.S. 2021, Section 396, as amended by
22 Section 1, Chapter 32, O.S.L. 2023 (59 O.S. Supp.
23 2024, Section 396), which relates to Oklahoma Funeral
24 Board appointment; modifying sunset date; creating
the assistant funeral director license; establishing
license application requirements; creating license
procedures; amending 59 O.S. 2021, Section 396.4,
which relates to term and qualifications of directors
and fees; establishing certain fees; updating
statutory language; providing for codification;
providing an effective date; and declaring an
emergency.

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

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

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

1 is of good moral character and a resident of this state. Five of
2 the members shall have been actively engaged in the practice of
3 embalming and funeral directing in this state for not less than
4 seven (7) consecutive years immediately prior to the appointment of
5 the person, shall have an active license as provided by the Funeral
6 Services Licensing Act, shall keep the license effective, and shall
7 remain a resident of this state during the entire time the person
8 serves on the Board. Two of the members of the Board shall be
9 chosen from the general public, one of whom shall, if possible, be a
10 person licensed and actively engaged in the health care field, and
11 shall not be licensed funeral directors or embalmers or have any
12 interest, directly or indirectly, in any funeral establishment or
13 any business dealing in funeral services, supplies, or equipment.
14 These two members shall be appointed to serve for five-year terms.

15 SECTION 2. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 396.3b of Title 59, unless there
17 is created a duplication in numbering, reads as follows:

18 A. As used in this section, "assistant funeral director" means
19 a person who assists a funeral director duly licensed in this state
20 in one or more of the principal functions of funeral directing and
21 is actively engaged in such work. An assistant funeral director
22 shall be an employee of the funeral director in charge under whom
23 the employee is registered, and shall be a person to whom the
24 funeral director in charge delegates the responsibility of

1 | conducting funeral services, making funeral arrangements, and making
2 | interments.

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

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

22 C. The expiration date of each license shall be December 31.
23 Subject to the provisions of this section, each license shall be
24 renewable on an annual basis upon the filing of a renewal

1 application prior to the expiration date of the license and upon
2 payment of the renewal fee.

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

6 SECTION 3. AMENDATORY 59 O.S. 2021, Section 396.4, is
7 amended to read as follows:

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

11 2. Until the Oklahoma Funeral Board sets fees pursuant to rule,
12 the following shall be the fees charged for the licenses,
13 registrations, and examinations required by the Funeral Services
14 Licensing Act:

15	Funeral Director License or Renewal	\$75.00
16	<u>Assistant Funeral Director License or Renewal</u>	<u>\$150.00</u>
17	Embalmer License or Renewal	\$75.00
18	Registration for Funeral Director/Embalmer Apprentice	\$150.00
19	Extension of Funeral Director/Embalmer Apprentice	\$150.00
20	Embalmer Examination	\$100.00
21	Funeral Director Examination	\$100.00
22	State Law Examination	\$100.00
23	Funeral Establishment License or Renewal	\$250.00
24	Commercial Embalming Establishment License or Renewal	\$250.00

1 Reciprocal License for Funeral Director or Embalmer \$150.00

2 Change of Funeral Director in Charge \$150.00

3 Crematory License or Renewal \$250.00

4 B. The Oklahoma Funeral Board shall assess Three Dollars

5 (\$3.00) for each disposition performed by the licensed funeral

6 establishment or commercial embalming establishment. The

7 disposition fee shall be payable upon renewal of the license as

8 provided in subsection E of this section and shall be calculated

9 from November 1 of the preceding calendar year to October 31 of the

10 current calendar year for each licensee. For purposes of this

11 subsection, "disposition" means each time the licensed establishment

12 files an original death certificate pursuant to Section 1-317 of

13 Title 63 of the Oklahoma Statutes.

14 C. Fees for funeral director, embalmer, and state law

15 examinations shall be paid prior to the scheduled examination. An

16 examination fee shall not be refundable.

17 D. The Oklahoma Funeral Board is authorized to determine and

18 fix special administrative service fees. Each such fee shall not be

19 in excess of Two Hundred Dollars (\$200.00).

20 E. If any renewal fee required by this section is not paid on

21 or before December 31 of each year, the amount of the fee shall be

22 doubled and if the fee is not paid on or before April 30 of the

23 subsequent year, the licensee shall be in default and the license

24 shall terminate automatically.

1 F. All examinations of the Oklahoma Funeral Board shall be
2 exempt from the Oklahoma Open Records Act in order to maintain the
3 integrity of the examination process. Copies of completed
4 examinations shall only be released upon receipt of a court order
5 from a court of competent jurisdiction.

6 SECTION 4. This act shall become effective July 1, 2025.

7 SECTION 5. It being immediately necessary for the preservation
8 of the public peace, health or safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval."

11 Passed the Senate the 5th day of May, 2025.
12

13 Presiding Officer of the Senate
14

15 Passed the House of Representatives the ____ day of _____,
16 2025.
17

18 Presiding Officer of the House
19 of Representatives
20

1 ENGROSSED HOUSE
2 BILL NO. 2286

3 By: Hilbert of the House

4 and

5 Coleman of the Senate

6

7 An Act relating to professions and occupations;
8 creating the assistant funeral director license;
9 establishing license application requirements;
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O.S.L. 2023 (59 O.S. Supp. 2024, Section 396),
modifying sunset date; providing for codification;
providing an effective date; and declaring an
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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 6. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 396.3b of Title 59, unless there
17 is created a duplication in numbering, reads as follows:

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

1 funeral services, making funeral arrangements, and making
2 interments.

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

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

22 C. The expiration date of each license shall be December 31.
23 Subject to the provisions of this section, each license shall be
24 renewable on an annual basis upon the filing of a renewal

1 application prior to the expiration date of the license and upon
2 payment of the renewal fee.

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

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

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

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

20 SECTION 8. This act shall become effective July 1, 2025.

21 SECTION 9. It being immediately necessary for the preservation
22 of the public peace, health or safety, an emergency is hereby
23 declared to exist, by reason whereof this act shall take effect and
24 be in full force from and after its passage and approval.

Passed the House of Representatives the 24th day of March, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the _____ day of _____, 2025.

Presiding Officer of the Senate