

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 HOUSE BILL 1365

By: Culver of the House

5 and

6 **Alvord** of the Senate

7

8

9 AS INTRODUCED

10 An Act relating to professions and occupations;
11 amending 59 O.S. 2021, Section 396.3, as last amended
12 by Section 1, Chapter 54, O.S.L. 2023 (59 O.S. Supp.
13 2024, Section 396.3), which relates to funeral
14 director and embalmer examinations; establishing the
15 Oklahoma Funeral Directors and Embalmers
16 Examinations; and providing an effective date.

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

18 SECTION 1. AMENDATORY 59 O.S. 2021, Section 396.3, as
19 last amended by Section 1, Chapter 54, O.S.L. 2023 (59 O.S. Supp.
20 2024, Section 396.3), is amended to read as follows:

21 Section 396.3. A. The Oklahoma Funeral Board shall determine
22 the qualifications necessary to enable any person to practice as a
23 funeral director or embalmer, and prescribe the requirements for a
24 funeral establishment or commercial embalming establishment. The
 Board shall examine all applicants for licenses to practice as a

1 funeral director or embalmer. The Board shall issue the proper
2 licenses to applicants who successfully pass such examination and
3 qualify pursuant to any additional requirements the Board may
4 prescribe.

5 B. 1. Except as provided in subsection C of this section, the
6 minimum requirements for a license to practice funeral directing or
7 embalming, or both, are as follows:

8 An applicant for a license to practice funeral directing or
9 embalming shall be at least eighteen (18) years of age, a legal
10 resident of this state, and a citizen or permanent resident of the
11 United States. In addition, an applicant shall be a graduate of a
12 program of mortuary science accredited by the American Board of
13 Funeral Service Education, and have served one (1) year as a
14 registered apprentice. The applicant may serve as a registered
15 apprentice prior to enrollment in an approved school of mortuary
16 science, or subsequent to graduation from the school, and pass any
17 of the following relevant exams necessary for licensure: the
18 International Conference of Funeral Service Examining Board National
19 Board Science Examination, and/or the International Conference of
20 Funeral Service Examining Board National Board Arts Examination, the
21 Oklahoma Funeral Directors Examination, or the Oklahoma Embalmers
22 Examination with a seventy-five (75) or higher score on each exam.

1 2. Curriculum of study for an embalmer and/or or funeral
2 director is a program of mortuary science which shall be that
3 prescribed by the American Board of Funeral Service Education.

4 C. 1. If a person chooses not to meet the qualifications in
5 subsection B of this section for a funeral director, the person may
6 alternatively qualify for a license to practice funeral directing,
7 but not embalming, upon meeting the eligibility requirements of this
8 subsection as follows:

9 An applicant for a license to practice funeral directing shall
10 be at least eighteen (18) years of age, a legal resident of this
11 state, and a citizen or permanent resident of the United States. An
12 applicant is required to complete a funeral director course of study
13 approved by the Oklahoma Funeral Board and that is administered by a
14 program of funeral service/mortuary science accredited by the
15 American Board of Funeral Service Education (ABFSE). The funeral
16 director course of study shall include at least thirty (30) semester
17 hours or equivalent closely following the ABFSE curriculum standard,
18 limited to only: Business Management, Cremation, Social
19 Sciences/Humanities, Legal, Ethical, Regulatory, plus essential
20 elements of embalming, restorative art, general concerns when
21 dealing with human remains, a practicum experience, and preparation
22 for the required board exams. In addition to the funeral director
23 course of study, the applicant is required to complete a twelve-
24 month minimum term as a registered apprentice with employment at a

1 licensed establishment and must have assisted with twenty-five
2 arrangement conferences and assisted with twenty-five separate
3 funeral or memorial services under the supervision of a licensed
4 funeral director in this state. The applicant may serve as a
5 registered apprentice prior to enrollment in an approved school of
6 mortuary science, concurrently while in mortuary school, or
7 subsequent to completion of the funeral director course of study.

8 2. Curriculum of study for a funeral director license shall be
9 in a program of mortuary science which shall be that prescribed by
10 the Oklahoma Funeral Board. An applicant must pay all fees as
11 provided in Section 396.4 of this title and pass an exam provided by
12 the International Conference of Funeral Service Examining Board or
13 the Oklahoma Funeral Directors Exam with a score of seventy-five
14 (75) or higher as well as pass a law exam provided by the Oklahoma
15 Funeral Board, with a score of seventy-five (75) or higher. A
16 license to practice as a funeral director issued pursuant to this
17 subsection shall be restricted to funeral director, and the licensee
18 shall not be eligible to practice as the funeral director in charge
19 as defined in Section 396.2 of this title.

20 3. If a person chooses not to meet the qualifications in
21 subsection B of this section for an embalmer, the person may
22 alternatively qualify for a license to practice embalming, upon
23 meeting the eligibility requirements of this subsection as follows:
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1 An applicant for a license of this state, a citizen or permanent
2 resident of the United States, and of good moral character. An
3 applicant is required to complete an embalmer course of study
4 approved by the Oklahoma Funeral Board and that is administered by a
5 program of funeral service/mortuary science accredited by the
6 American Board of Funeral Service Education (ABFSE). The embalmer
7 course of study shall include at least thirty (30) semester hours or
8 equivalent closely following the ABFSE curriculum standard, limited
9 to only: **Biology, Chemistry, Microbiology, Human Anatomy,**
10 **Pathology, Embalming, Embalming Chemistry, and Restorative Art**, plus
11 essential elements of grief, communication, and preparation for the
12 required board examinations. The applicant must also complete a
13 twelve-month minimum term as a registered apprentice with full-time
14 employment at a licensed establishment or licensed commercial
15 embalming establishment and must have assisted with twenty-five
16 embalmings under the supervision of a licensed embalmer in this
17 state. The applicant may serve as a registered apprentice prior to
18 enrollment in an approved school of mortuary science, concurrently
19 while in mortuary school, or subsequent to completion of the
20 embalmer course of study.

21 4. Curriculum of study for an embalmer license shall be in a
22 program of funeral service/mortuary science which shall be that
23 prescribed by the Oklahoma Funeral Board. An applicant must pay all
24 fees as provided in Section 396.4 of this title and pass the

1 embalmer examination provided by the International Conference of
2 Funeral Service Examining Board or the Oklahoma Embalmers Exam with
3 a score of seventy-five (75) or higher as well as pass a law exam
4 provided by the Oklahoma Funeral Board with a score of seventy-five
5 (75) or higher. A license to practice as an embalmer issued
6 pursuant to this subsection shall be restricted to embalmer, and the
7 licensee shall not be eligible to practice as the funeral director
8 in charge as defined in Section 396.2 of this title.

9 D. The Board shall issue the appropriate license to any
10 qualified applicant whose application has been approved by the
11 Board, and who has paid the fees required by Section 396.4 of this
12 title, has passed the required examinations with a seventy-five (75)
13 or higher score and has demonstrated to the Board proficiency as an
14 embalmer or funeral director.

15 E. The Board shall maintain for public inspection a list of all
16 accredited schools of embalming and mortuary science.

17 F. Each funeral director in charge as defined in Section 396.2
18 of this title shall have a current dual funeral director and
19 embalmer license. A funeral director in charge of a funeral service
20 establishment or crematory that does not have a current dual funeral
21 director and embalmer license on the effective date of this act
22 shall be considered to be grandfathered and may serve as funeral
23 director in charge of any funeral service establishment or crematory
24 in accordance with rules prescribed by the Board, but shall not

1 serve as funeral director in charge of a commercial embalming
2 establishment which shall require a current dual funeral director
3 and embalmer license.

4 G. Upon ~~the effective date of this act~~ April 23, 2021, and for
5 one (1) year thereafter, the Board may issue a temporary funeral
6 director or embalmer license in the event a statewide state of
7 emergency is declared by the Governor and during such time as the
8 state of emergency is in effect.

9 SECTION 2. This act shall become effective November 1, 2025.

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11 COMMITTEE REPORT BY: COMMITTEE ON COMMERCE AND ECONOMIC DEVELOPMENT
OVERSIGHT, dated 02/25/2025 - DO PASS, As Coauthored.
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