

1 ENGROSSED SENATE AMENDMENT  
TO  
2 ENGROSSED HOUSE  
BILL NO. 1208

By: Newton of the House

and

Pederson of the Senate

7 An Act relating to cemeteries; providing for method  
8 of burial space reversion; providing certain  
9 guidelines for notification process; providing for  
certain remedy for certain claims; providing for  
codification; and providing an effective date.

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AMENDMENT NO. 1. Page 1, strike the title to read

"[ cemeteries - burial space reversion - claims -  
codification - effective date ]"

Passed the Senate the 22nd day of April, 2019.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2019.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

1 ENGROSSED HOUSE  
2 BILL NO. 1208

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6 An Act relating to cemeteries; providing for method  
7 of burial space reversion; providing certain  
8 guidelines for notification process; providing for  
9 certain remedy for certain claims; providing for  
10 codification; and providing an effective date.

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

12 SECTION 1. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 188 of Title 8, unless there is  
14 created a duplication in numbering, reads as follows:

15 A. After a period of seventy-five (75) years since the last  
16 recorded activity on a burial space, as defined by Section 7102 of  
17 Title 36 of the Oklahoma Statutes, and after a reasonable search for  
18 heirs and beneficiaries, an unused burial site shall be abandoned  
19 and the right of ownership in the burial site shall revert to the  
20 private or public cemetery, after the cemetery has met the  
21 requirements of this section.

22 B. 1. A reasonable search for heirs and beneficiaries pursuant  
23 to this section shall include:

- 1           a.    sending a certified letter of notice by the entity  
2                   responsible for the cemetery to the last-known address  
3                   of the record property owner; however, if no address  
4                   is available, then no letter shall be required, and  
5           b.    publishing a copy of the description of the abandoned  
6                   burial space in a newspaper qualified to publish  
7                   public notices pursuant to Section 106 of Title 25 of  
8                   the Oklahoma Statutes in the county of the last-known  
9                   address of the record owner for three (3) weeks;  
10                  however, if no address is available, then publication  
11                  shall take place in the county where the burial space  
12                  is located.

13           2.    If no person proves ownership of the burial space within one  
14 (1) year after the publication, the burial space shall be deemed  
15 abandoned for purposes of this section.

16           C.    Any person with a legitimate claim to a burial space that  
17 has been deemed abandoned pursuant to this section and has been used  
18 or sold by the private or public cemetery shall have the claim  
19 settled by receiving an equal burial space in an equivalent location  
20 as the burial space that reverted to the private or public cemetery.

21           SECTION 2. This act shall become effective November 1, 2019.  
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1 Passed the House of Representatives the 20th day of February,  
2019.

4 \_\_\_\_\_  
Presiding Officer of the House  
of Representatives

6 Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2019.

8 \_\_\_\_\_  
Presiding Officer of the Senate