

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1729

By: Roberts (Sean)

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5  
6 AS INTRODUCED

7 An Act relating to public health and safety; creating  
8 Ashlen's Law; amending 63 O.S. 2011, Section 1-301,  
9 which relates to definitions; modifying certain  
10 definition; providing for noncodification; and  
11 providing an effective date.

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

13 SECTION 1. NEW LAW A new section of law not to be  
14 codified in the Oklahoma Statutes reads as follows:

15 This act shall be known and may be cited as "Ashlen's Law".

16 SECTION 2. AMENDATORY 63 O.S. 2011, Section 1-301, is  
17 amended to read as follows:

18 Section 1-301. As used in this article:

19 1. "Vital statistics" means records of birth, death, fetal  
20 death and data related thereto;

21 2. "System of vital statistics" means the registration,  
22 collection, preservation, amendment and certification of vital  
23 statistics records, and activities related thereto, including the  
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1 tabulation, analysis and publication of statistical data derived  
2 from such records;

3 3. "Filing" means the presentation of a certificate, report or  
4 other record provided for in this article, of a birth, death, fetal  
5 death or adoption, for registration by the State Commissioner of  
6 Health;

7 4. "Registration" means the acceptance by the State  
8 Commissioner of Health and the incorporation in his official records  
9 of certificates, reports or other records provided for in this  
10 article, of births, deaths, fetal deaths or adoptions;

11 5. "Live birth" means the complete expulsion or extraction from  
12 the mother of a product of human conception, irrespective of the  
13 duration of pregnancy, which, after such expulsion or extraction,  
14 breathes or shows any other evidence of life such as beating of the  
15 heart, pulsation of the umbilical cord or definite movement of  
16 voluntary muscles, whether or not the umbilical cord has been cut or  
17 the placenta is attached;

18 6. "Stillbirth" or "stillborn child" means a fetal death;

19 7. "Certificate of birth resulting in stillbirth" means a  
20 certificate issued to memorialize a stillborn child;

21 8. "Fetal death" means death prior to the complete expulsion or  
22 extraction from its mother of a product of human conception after a  
23 ~~period of gestation as prescribed by the State Board of Health~~ the  
24 fetus has advanced to or beyond the twelfth week of uterogestation.

1 The death is indicated by the fact that, after such expulsion or  
2 extraction, the fetus does not breathe or show any other evidence of  
3 life such as beating of the heart, pulsation of the umbilical cord  
4 or definite movement of voluntary muscles;

5 9. "Dead body" means an individual who is determined to be dead  
6 pursuant to the provisions of the Uniform Determination of Death  
7 Act;

8 10. "Final disposition" means the burial, interment, cremation,  
9 or other disposition of a dead body or fetus;

10 11. "Physician" means a person who is a member of the class of  
11 persons authorized to use the term "physician" pursuant to Section  
12 725.2 of Title 59 of the Oklahoma Statutes;

13 12. "Institution" means any establishment, public or private,  
14 which provides inpatient medical, surgical or diagnostic care or  
15 treatment, or nursing, custodial or domiciliary care, to two or more  
16 unrelated individuals, or to which persons are committed by law; and

17 13. "Disinterment" means the recovery of human remains by  
18 exhumation or disentombment. "Disinterment" does not include the  
19 raising and lowering of remains to accommodate two interments within  
20 a single grave and does not include the repositioning of an outside  
21 burial container that encroaches on adjoining burial space.

22 SECTION 3. This act shall become effective November 1, 2015.

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24 55-1-5740 AM 01/16/15