

1 ENGROSSED SENATE
2 BILL NO. 1321

By: Daniels of the Senate

and

Kannady of the House

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8 An Act relating to vital statistics; amending 63 O.S.
9 2011, Section 1-301, as amended by Section 2, Chapter
10 37, O.S.L. 2015 (63 O.S. Supp. 2019, Section 1-301),
which relates to definitions; adding definition; and
providing an effective date.

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

14 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-301, as
15 amended by Section 2, Chapter 37, O.S.L. 2015 (63 O.S. Supp. 2019,
16 Section 1-301), is amended to read as follows:

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

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

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

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

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

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

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

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

19 8. "Fetal death" means death prior to the complete expulsion or
20 extraction from its mother of a product of human conception after
21 the fetus has advanced to or beyond the twelfth week of
22 uterogestation. The death is indicated by the fact that, after such
23 expulsion or extraction, the fetus does not breathe or show any
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1 other evidence of life such as beating of the heart, pulsation of
2 the umbilical cord or definite movement of voluntary muscles;

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

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

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

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

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

20 14. "Court order" means an order issued by a state or federal
21 court of competent jurisdiction or by a tribal court of a federally
22 recognized tribe.

23 SECTION 2. This act shall become effective November 1, 2020.
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1 Passed the Senate the 18th day of February, 2020.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2020.

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9 Presiding Officer of the House
10 of Representatives