

1 **SENATE FLOOR VERSION**

2 February 11, 2020

3 SENATE BILL NO. 1321

By: Daniels

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6 An Act relating to vital statistics; amending 63 O.S.
7 2011, Section 1-301, as amended by Section 2, Chapter
8 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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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

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

23 3. "Filing" means the presentation of a certificate, report or
24 other record provided for in this article, of a birth, death, fetal

1 death or adoption, for registration by the State Commissioner of
2 Health;

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

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

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

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

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

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

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

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

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

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

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

21 SECTION 2. This act shall become effective November 1, 2020.

22 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
23 February 11, 2020 - DO PASS
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