Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB1208

By: Newton of the House and Pederson of the Senate

Title: Cemeteries; providing for method of burial space reversion; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendments; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,
HB 1208 CCR (A)

**HOUSE CONFEREES**

Blancett, Meloyde  

Branham, Chelsey  

Cornwell, Rusty  

Dunnington, Jason  

Fetgatter, Scott  

Goodwin, Regina  

Hill, Brian  

Lepak, Mark  

Martinez, Ryan  

McBride, Mark  

Pfeiffer, John  

Roberts, Dustin  

Sneed, Chris  

Strom, Judd  

Townley, Tammy  

West, Kevin  

West, Tammy
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House Action _________ Date _______  Senate Action _____________ Date _______
STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED HOUSE BILL NO. 1208

By: Newton of the House

and

Pederson of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

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

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

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

A. Except as otherwise provided in this subsection, after a period of eighty-five (85) years since the last recorded activity on a burial space, as defined by Section 7102 of Title 36 of the Oklahoma Statutes, and after a reasonable search for heirs and
beneficiaries, an unused burial site shall be abandoned and the
right of ownership in the burial site shall revert to the private or
public cemetery, after the cemetery has met the requirements of this
section. This subsection shall not apply to a burial site where the
owner provides notice to the private or public cemetery of his or
her intent to be exempt from the burial space reversion requirement
provided in this subsection.

B. 1. A reasonable search for heirs and beneficiaries pursuant
to this section shall include:
   a. sending a certified letter of notice by the entity
      responsible for the cemetery to the last-known address
      of the record property owner; however, if no address
      is available, then no letter shall be required, and
   b. publishing a copy of the description of the abandoned
      burial space in a newspaper qualified to publish
      public notices pursuant to Section 106 of Title 25 of
      the Oklahoma Statutes in the county of the last-known
      address of the record owner for three (3) weeks;
      however, if no address is available, then publication
      shall take place in the county where the burial space
      is located.

2. If no person proves ownership of the burial space within one
   (1) year after the publication, the burial space shall be deemed
   abandoned for purposes of this section.
C. Any person with a legitimate claim to a burial space that has been deemed abandoned pursuant to this section and has been used or sold by the private or public cemetery shall have the claim settled by receiving an equal burial space in an equivalent location as the burial space that reverted to the private or public cemetery.

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