

## **BILL ANALYSIS**

Senate Research Center

H.B. 2845  
By: Berlanga (Ellis)  
Jurisprudence  
5-13-97  
Engrossed

### **DIGEST**

Currently, once a determination of death has been made in Texas, the ruling on the cause of death is final without the opportunity of being reviewed if new information arises which may change the cause or manner of death. This bill will authorize a justice of the peace to reopen an inquest.

### **PURPOSE**

As proposed, H.B. 2845 authorizes a justice of the peace to reopen an inquest.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 49A, Code of Criminal Procedure, by adding Article 49.041, as follows:

Sec. 49.041. REOPENING AN INQUEST. Authorizes a justice of the peace to reopen an inquest if, based on information provided by a credible person or facts within the knowledge of the justice of the peace, the justice of the peace determines that reopening the inquest may reveal a different cause or different circumstances of death.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Makes application of this Act retroactive.

SECTION 4. Emergency clause.