

BILL ANALYSIS

Senate Research Center
76R10646 DLF-D

C.S.H.B. 1571
By: Grusendorf (Harris)
Administration
5/13/1999
Committee Report (Substituted)

DIGEST

Currently, if a married couple divorce subsequent to a husband purchasing a burial plot for his wife, the law does not clarify her surviving spouse's discretion in the matter of her grave marker, if she remarries and then passes away. C.S.H.B. 1571 specifies regulations governing what name should appear on an individual's grave marker, and provides a presumption that a married woman wants her grave marker to reflect her married name.

PURPOSE

As proposed, C.S.H.B. 1571 specifies regulations governing what name should appear on an individual's grave marker.

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 Section 711.002, Health and Safety Code, by amending Subsections (g) and (j) and adding Subsection (k), to authorize the directions for the disposition of a person's remains to govern the grave marker inscription for a plot in which the decedent had the right of sepulture at the time of death, and where the decedent is buried. Specifies that it is presumed that a married woman's name includes the last name she used at the time of her death, as it appears on her grave marker, in the absence of evidence of a contrary intent. Makes a conforming change.

SECTION 2. Provides that the change in law made by this Act applies only to the grave marker of a person who died on or after January 1, 1998.

SECTION 2. Emergency clause.
Effective date: upon passage.