

## **BILL ANALYSIS**

Senate Research Center  
77R4025 YDB-F

H.B. 1459  
By: Williams (Armbrister)  
State Affairs  
5/1/2001  
Engrossed

### **DIGEST AND PURPOSE**

Currently, the Health and Safety Code enables the surviving child of a deceased cemetery plot owner to convey the unused grave spaces, thereby depriving the children of any deceased child of the plot owner of any right to be buried in the unused grave spaces, even if the deceased parent is buried in the plot. H.B. 1459 authorizes the surviving spouse, if any, and the heirs-at-law of the plot owner to convey the exclusive right of sepulture whether or not there is a surviving child of the owner.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 711.039(g), Health and Safety Code, to delete text that authorized the exclusive right of sepulture in an unused grave, niche, or crypt of a plot in which the plot owner has been interred to be conveyed by the surviving spouse and children of the owner of the plot.

SECTION 2. Effective date: September 1, 2001.  
Makes application of this Act prospective.