

## **BILL ANALYSIS**

Senate Research Center

H.B. 3015  
By: Hill (Shapiro)  
Jurisprudence  
5/17/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Current law allows for either one of a decedent's parents to be among the persons that have the right to control the disposition, including cremation, of the decedent's remains, to inter the remains, and assure liability for the reasonable cost of interment. Since the law allows for either of the parents to be involved in the process instead of both parents, in cases of divorce and remarriage, there may be some instances in which one parent is left out of the decision-making process.

H.B. 3015 requires that both the decedent's surviving mother and father, other than a person whose parental rights have been terminated, be allowed to participate in making funeral arrangements.

### **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 711.002(a), Health and Safety Code, to provide that both the decedent's surviving mother and father, rather than either one of the decedent's surviving parents, other than a person whose parental rights have been terminated, have the right to control the disposition of the decedent's remains and are liable for the reasonable cost of interment. Makes conforming and nonsubstantive changes.

SECTION 2. Effective date: September 1, 2005.