

BILL ANALYSIS

Senate Research Center
80R415 YDB-D

H.B. 56
By: Isett (Duncan)
Health & Human Services
5/7/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the 78th Legislature, Regular Session, 2003, the legislature enacted H.B. 587, allowing funeral establishments to own and operate a crematory on their premises. The term "funeral establishment," is considered to be a broad and generic term, and consequently some people purchased or made arrangements to relocate existing crematory services to another property. However, those holding a commercial embalmer's license are not deemed to be funeral establishments, and thus are not allowed to hold a crematory establishment license under the statute.

H.B. 56 clarifies the statute and allows a person who holds a commercial embalmers establishment license to also hold a crematory establishment license.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 651.656(b), Occupations Code, as follows:

(b) Prohibits a person from holding a crematory establishment license unless the person holds a funeral establishment or commercial embalmers establishment license. Makes a conforming change.

SECTION 2. Amends Section 651.352, Occupations Code, by adding Subsection (e), as follows:

(e) Authorizes a licensed commercial embalmers establishment that meets the licensing requirements under Subchapter N (Licensing Requirements: Crematories) to hold a crematory establishment license.

SECTION 3. Effective date: September 1, 2007.