

BILL ANALYSIS

Senate Research Center
81R934 MSE-D

S.B. 571
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under Section 694.002 (Duty of Commissioners Court Concerning Disposition of Body of Deceased Paupers), Health and Safety Code, counties are required to provide for the disposition of a deceased pauper's body. This section authorizes the county to dispose of unidentified human remains by cremation. However, under Section 716.101 (Unidentified Human Remains), Health and Safety Code, a crematory is prohibited from accepting unidentified human remains.

S.B. 571 is designed to alleviate overcrowding in counties whose health departments are at capacity for storage of unidentified human remains.

As proposed, S.B. 571 authorizes crematory establishments to accept for cremation unidentified human remains from a county on the order of the county commissioners court or a court located in the county.

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 716.101, Health and Safety Code, as follows:

Sec. 716.101. UNIDENTIFIED HUMAN REMAINS. (a) Creates this subsection from existing text. Creates an exception under Subsection (b).

(b) Authorizes a crematory establishment, notwithstanding any other provision of this chapter, to accept for cremation unidentified human remains from a county on the order of the county commissioners court or a court located in the county.

SECTION 2. Effective date: upon passage or September 1, 2009.