

BILL ANALYSIS

Senate Research Center
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S.B. 1485
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas border deaths have increased at an alarming rate and are difficult to track. Several human rights organizations are working to monitor the deaths to address the problem and/or help identify the remains. Death records are currently exempt from the public information act for 25 years. This hinders the ability to track the number and location of unidentified border deaths.

S.B. 1485 helps address the problem by making death records of unidentified persons public information one year after the date of death. The information that will be made public under the bill can also be used for public health and border security purposes because the cause and location of death will be available in the records.

As proposed, S.B. 1485 amends current law relating to the availability of death records of unidentified persons.

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 552.115(a), Government Code, as follows:

(a) Provides that a birth or death record maintained by the vital statistics unit of the Department of State Health Services, rather than the bureau of vital statistics of the Texas Department of Health, or a local registration official is excepted from the requirements of Section 552.021 (Availability of Public Information), except that:

(1) Makes a conforming change;

(2) a death record is public information and available to the public on and after the 25th anniversary of the date of death as shown on the record filed with the vital statistics unit, rather than the bureau of vital statistics, or local registration official, except that if the decedent is unidentified, the death record is public information and available to the public on and after the first anniversary of the date of death;

(3) and (4) Makes conforming changes;

(5) Makes no change to this subdivision.

SECTION 2. Effective date: upon passage or September 1, 2015.