

BILL ANALYSIS

C.S.H.B. 1731
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Pensions, Investments & Financial Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been reported that in situations where multiple funeral providers provide services relating to the same death, a provider from which a body is transferred to another provider may have difficulty collecting the payment due for services provided before the transfer. C.S.H.B. 1731 seeks to remedy this issue by requiring the recipient provider to collect and remit any payment due to the original provider.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1731 amends the Occupations Code to require a funeral establishment that receives a dead human body transferred from another funeral establishment to include in the purchase agreement any amounts, itemized by funeral service, owed by the customer to the transferring funeral establishment. The bill requires the recipient funeral establishment at the time of receipt of the body to remit to the transferring funeral establishment any amounts incurred by the transferring funeral establishment.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1731 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include provisions relating to a required statement in a sales contract for prepaid funeral benefits and requiring a funeral provider under a prepaid funeral benefits contract to remit certain costs to a transferring funeral provider, if applicable.

The substitute specifies that amounts owed by a customer to a transferring funeral establishment and included in a purchase agreement are to be itemized by funeral service and that the remittance of applicable amounts from the recipient funeral establishment to the transferring

funeral establishment is required at the time of receipt of the body.