

BILL ANALYSIS

Senate Research Center

H.B. 815
By: Bailey (Whitmire)
State Affairs
4/30/2001
Engrossed

DIGEST AND PURPOSE

Currently, the family of a deceased veteran is presented with a United States flag by an honor guard, upon request. However, current Texas law does not provide for the presentation of the state flag to the family of a deceased peace officer or firefighter. H.B. 815 provides for the presentation of the state flag to the family of a deceased peace officer or firefighter.

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 Chapter 615E, Government Code, by adding Section 615.105, as follows:

Sec. 615.105. PRESENTATION OF STATE FLAG. (a) Provides that this section applies only to certain persons.

(b) Requires the state, on the death of an individual listed in Subsection (a), regardless of whether the individual died in the course of duty as a peace officer or firefighter, to provide certain items, at no cost, to the individual's next of kin.

(c) Requires the state flag to be presented from the office of the governor to the individual's next of kin by certain persons.

SECTION 2. Amends Chapter 651I, Occupations Code, by adding Section 651.408, as follows:

Sec. 651.408. NOTICE OF DECEASED PEACE OFFICER OR FIREFIGHTER. Requires a funeral director to make reasonable efforts to determine whether a deceased person being prepared by the funeral director for burial or other disposition was a peace officer or firefighter. Requires the funeral director to perform certain functions if the deceased person is known or suspected by the funeral director to have been a peace officer or firefighter.

SECTION 3. Amends Chapter 1701D, Occupations Code, by adding Section 1701.161, as follows:

Sec. 1701.161. NOTICE REGARDING DECEASED PEACE OFFICER. Requires the Commission on Law Enforcement Officer Standards and Education (commission), if notified of the death of a current or retired peace officer, to promptly notify certain entities.

SECTION 4. Amends Chapter 419Z, Government Code, by adding Section 419.908, as follows:

Sec. 419.908. NOTICE REGARDING DECEASED FIREFIGHTER. Makes a conforming change regarding the Texas Commission on Fire Protection.

SECTION 5. Effective date: September 1, 2001. Provides that Section 1 of this Act applies only to a person who dies on or after September 1, 2001. Provides that Section 2 of this Act applies only to a funeral director who prepares a deceased person for burial or other disposition on or after September 1, 2001.