

BILL ANALYSIS

Senate Research Center

H.B. 93
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Criminal Justice
5/18/2005
Committee Report (Amended)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law, certificates of death for those legally executed by the state classify the cause of death as homicide. Some find it disrespectful to a victim's family and friends that the legal execution of the perpetrator should be classified the same way on the death certificate as the death of the victim on the victim's death certificate. Several states which impose the death penalty have already changed the certificates of death to state as cause of death "Judicial Execution," "Death by Legal Execution," or "Execution by the State."

H.B. 93 changes the terminology used on certificates of death in death penalty executions from homicide as the cause of death to death caused by legally authorized execution.

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 193.005, Health and Safety Code, by adding Subsection (j) to require the death certificate of a decedent who was an inmate of the Texas Department of Criminal Justice at the time of death and who was lawfully executed to classify the manner of death as death caused by legally authorized execution.

SECTION 2. Effective date: upon passage or September 1, 2005.

SUMMARY OF COMMITTEE CHANGES

Committee Amendment No. 1:

Amends H.B. 93, on page 1, line 11, by striking "legally authorized execution" and substituting "judicially ordered execution".