

BILL ANALYSIS

Senate Research Center

S.B. 1539
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During flood-prone disasters, such as hurricanes and extreme rain, buried caskets may become dislodged and float above ground. This sometimes can result in separation of remains from the casket. When this occurs, it is difficult, if not impossible, to identify the remains or the casket to return them to their proper burial place.

Title 8 (Death and Disposition of the Body) of the Texas Health and Safety Code, which regulates burial practices and cemetery care, does not require that caskets contain identifying information.

As proposed, S.B. 1539 requires the Texas Funeral Services Commission to ensure that caskets contain certain identifying information of the deceased person.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Funeral Service Commission in SECTION 1 (Section 695.003, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle B, Title 8, Health and Safety Code, by adding Chapter 695, as follows:

CHAPTER 695. IN-CASKET IDENTIFICATION

Sec. 695.001. DEFINITIONS. Defines "casket" and "commission."

Sec. 695.002. IDENTIFICATION OF DECEASED PERSON. Requires the Texas Funeral Service Commission (TFSC) to ensure a casket contains identification of the deceased person, including the person's name, date of birth, and date of death.

Sec. 695.003. RULES. Authorizes TFSC to adopt rules to enforce this chapter.

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