

BILL ANALYSIS

Senate Research Center

S.B. 755
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Health & Human Services
9/21/2009
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A public postsecondary school that provides funeral service education is not allowed to establish on-campus embalming facilities, because the Occupations Code does not allow funeral establishments on tax-exempt property.

This provision in the Occupations Code is a hindrance to students who are trying to complete the embalming requirements of 10 embalmings. Current practice involves mortuary science faculty contacting private funeral establishments to schedule training for their students. This practice requires that the private establishment obtain permission from the family of the deceased to allow a student to work on their family member's remains. Faculty members often find it difficult to schedule embalming at these facilities. Often there are no bodies available to train with during the hours that a class is scheduled to meet. With an increasing enrollment roster, these schools need the ability to accommodate the growing demand of funeral service education.

S.B. 755 amends current law relating to the requirements for a funeral establishment license.

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 651.351, Occupations Code, by amending Subsection (d) and adding Subsection (i), as follows:

(d) Creates an exception under Subsection (i).

(i) Provides that Subsection (d)(2) (regarding a requirement that a funeral establishment be located at a fixed place that is not tax-exempt property or a cemetery) does not apply to a funeral establishment that is located on the real property of a public junior college and operated in connection with an accredited educational program in funeral services offered by the public junior college.

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