

BILL ANALYSIS

Senate Research Center
81R5975 YDB-F

S.B. 755
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Health & Human Services
3/26/2009
As Filed

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. This bill would help address that need and provide consistent comprehensive training of embalment procedures.

As proposed, S.B. 755 provides that a funeral establishment located on tax-exempt property of an accredited postsecondary educational institution that is operated in connection with an accredited educational program for funeral services is exempt from the requirement that such an establishment be located at a fixed place that is not tax-exempt property or a cemetery.

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 an exception for Subsection (i)) does not apply to a funeral establishment located on tax exempt property of an accredited post-secondary educational institution that is operated in connection with an accredited educational program for funeral services.

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