

By: Lambert

H.B. No. 1094

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of transportation protection agreements.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 154.002, Finance Code, is amended by amending Subdivisions (9) and (13) and adding Subdivision (15) to read as follows:

(9) "Prepaid funeral benefits" means prearranged or prepaid funeral or cemetery services or funeral merchandise, including an alternative container, casket, or outer burial container. The term does not include:

(A) a grave, marker, monument, tombstone, crypt, niche, plot, or lawn crypt unless it is sold in contemplation of trade for a funeral service or funeral merchandise to which this chapter applies; or

(B) a transportation protection agreement.

(13) "Funeral service" or "service":

(A) means a service sold or offered for sale on a preneed basis that may be used to:

(i) ~~[(A)]~~ care for and prepare a deceased human body for burial, cremation, or other final disposition; and

(ii) ~~[(B)]~~ arrange, supervise, or conduct a funeral ceremony or the final disposition of a deceased human body;

and

1 (B) does not include a service provided under a
2 transportation protection agreement.

3 (15) "Transportation protection agreement" has the
4 meaning assigned by Section 101.056, Insurance Code.

5 SECTION 2. Subchapter B, Chapter 101, Insurance Code, is
6 amended by adding Section 101.056 to read as follows:

7 Sec. 101.056. TRANSPORTATION PROTECTION AGREEMENTS;
8 EXEMPTION FROM INSURANCE LAW. (a) In this section:

9 (1) "Seller" has the meaning assigned by Section
10 154.002, Finance Code.

11 (2) "Transportation protection agreement" means an
12 agreement that primarily provides for the coordination and
13 arrangement of all professional services related to the preparation
14 for purposes of transportation and subsequent transportation of a
15 deceased human body.

16 (b) A transportation protection agreement sold by a seller:

17 (1) does not constitute the business of insurance in
18 this state; and

19 (2) is otherwise exempt from the requirements of this
20 code.

21 SECTION 3. This Act takes effect September 1, 2025.