

## **BILL ANALYSIS**

H.B. 1843  
By: Davis, John  
County Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law requires a county to make attempts to locate relatives for deceased paupers and pay for the costs associated with their burial. It is not uncommon to find money in a pauper's possession upon the pauper's death. Often, no one comes forward to claim the money, and it eventually escheats to the state.

H.B. 1843 amends the Health and Safety Code to allow a county to use any unclaimed money found in the possession of a deceased pauper to cover the county's actual cost of disposition of the body. Any remaining cash will be placed in trust, and any person having a claim to such money will be allowed to exercise the person's right to collection within one year of the disposition of the body. If no claim is made, the money shall be placed in a special fund to be used solely for the disposition of the bodies of deceased paupers and the administration of the county's disposition activities.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1843 amends the Health and Safety Code to authorize a county, if it discovers cash in the possession of a deceased pauper, to use that cash to pay the actual costs incurred by the county in disposing of the pauper's body. The bill requires the county to place in trust any cash remaining after disposing of the body. The bill requires a person having claim to the money to exercise the right to collect it not later than the first anniversary of the date of disposition of the pauper's body. The bill authorizes a county to create a fund for the county's use in paying the costs incurred in disposing of the bodies of deceased paupers and administering its body disposition activities and authorizes the county to transfer to that fund any money placed in a trust as described above that is not claimed by the first anniversary of the disposition of the pauper's body.

### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.