

By: McClendon

H.B. No. 578

A BILL TO BE ENTITLED

AN ACT

relating to the filing of a death certificate with a pending cause of death.

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

SECTION 1. Section 191.0046, Health and Safety Code, is amended by adding Subsection (e) to read as follows:

(e) The state registrar shall, without fee, issue to a person who filed an original death certificate a certified copy of the death certificate amended to reflect a cause of death if:

(1) the original death certificate stated that the cause of death was pending; and

(2) the person paid the filing fee at the time of original filing.

SECTION 2. Section 193.003, Health and Safety Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) Except as provided by Subsection (d), not ~~Not~~ later than the 10th day after the date of a death that occurs in this state, a death certificate shall be filed with the local registrar of the registration district in which:

(1) the death occurs; or

(2) the body is found, if the place of death is not known.

(c) A death certificate may be filed stating the cause of

1 death is pending.

2 (d) If the cause of death is pending on the 10th day
3 following the date of a death, the person filing the death
4 certificate may, instead of filing a certificate stating that the
5 cause of death is pending, wait until the cause of death is declared
6 to file the death certificate. A death certificate filed in
7 accordance with this subsection shall be filed not later than the
8 10th day after the date the cause of death is declared.

9 SECTION 3. Not later than January 1, 2010, the executive
10 commissioner of the Health and Human Services Commission shall
11 adopt rules necessary to administer Sections 191.0046 and 193.003,
12 Health and Safety Code, as amended by this Act.

13 SECTION 4. This Act takes effect September 1, 2009.