

By: Davis of Harris, et al.

H.B. No. 1843

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the disposition of cash in possession of a deceased  
3 pauper.

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

5 SECTION 1. Section 694.002, Health and Safety Code, is  
6 amended by adding Subsections (c), (d), and (e) to read as follows:

7 (c) If a county discovers cash in the possession of a  
8 deceased pauper, a county may use the cash to pay the actual costs  
9 incurred by the county in disposing of the pauper's body.

10 (d) If any cash remains after the county has paid the costs  
11 of disposing of the body under Subsection (c), the county shall  
12 place the cash in trust. A person having a claim to the money in  
13 trust must exercise the right to collect the money not later than  
14 the first anniversary of the date of disposition of the pauper's  
15 body.

16 (e) A county may create a fund to be used by the county to  
17 pay the costs incurred in disposing of the bodies of deceased  
18 paupers and administering the county's body disposition  
19 activities. If money placed in a trust under Subsection (d) is not  
20 claimed by the first anniversary of the date of disposition of the  
21 pauper's body, the county may transfer the money to the fund created  
22 under this subsection.

23 SECTION 2. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2009.