

## **BILL ANALYSIS**

Senate Research Center  
82R8537 EES-F

H.B. 2286  
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Health & Human Services  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

If a gravesite is not ready at the time of a funeral service because of weather or other impediments, a funeral home is required to take casketed remains back to the funeral home for proper storage until the grave is ready. While the Texas Funeral Service Commission has interpreted the definition of funeral directing to mean a funeral director is responsible for the remains until burial, interested parties contend that statute does not adequately address the extent of a funeral director's responsibilities.

H.B. 2286 seeks to clarify the issue by requiring the funeral director or agent to be present when a casket is placed in a grave, crypt, or burial vault, unless such interment takes place outside of the state, and by specifying that the completion of funeral directing duties occurs when the casket is placed in a grave, crypt, or burial vault.

H.B. 2286 amends current law relating to the duties of a funeral director or an agent at the interment or entombment of a human body.

### **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 Subchapter I, Chapter 651, Occupations Code, by adding Section 651.4085, as follows:

Sec. 651.4085. INTERMENT OR ENTOMBMENT. (a) Requires a funeral director who contracts with a customer to perform funeral directing under this chapter, or an agent of the funeral establishment, to be present when the casket containing the human body to which the contract applies is placed in a grave, crypt, or burial vault unless interment or entombment takes place at a location outside this state.

(b) Provides that the funeral directing duties related to interment or entombment services are complete when the casket is placed in a grave, crypt, or burial vault.

SECTION 2. Effective date: upon passage or September 1, 2011.