

BILL ANALYSIS

H.B. 2286
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Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

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 this issue by requiring the funeral director or an 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.

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. 2286 amends the Occupations Code to require a funeral director who contracts with a customer to perform funeral directing, 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 Texas. The bill specifies 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.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.