

By: Taylor of Collin

H.B. No. 3485

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the use of human remains in the training of search and
3 rescue animals.

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

5 SECTION 1. Section 691.022(a), Health and Safety Code, is
6 amended to read as follows:

7 (a) The board shall distribute bodies and anatomical
8 specimens to persons and institutions authorized to receive them.

9 SECTION 2. Section 691.025(d), Health and Safety Code, is
10 amended to read as follows:

11 (d) A relative of the deceased may claim the body within 60
12 days after the body has been delivered to an institution or other
13 person or entity authorized to receive the body. The body shall be
14 released without charge.

15 SECTION 3. Section 691.026, Health and Safety Code, is
16 amended to read as follows:

17 Sec. 691.026. BODY OF TRAVELER. If an unclaimed body is the
18 body of a traveler who died suddenly, the board shall direct the
19 person or institution receiving the body to retain the body for six
20 months for purposes of identification.

21 SECTION 4. Section 691.028(a), Health and Safety Code, is
22 amended to read as follows:

23 (a) An adult living in this state who is of sound mind may
24 donate his body by will or other written instrument to the board, a

1 medical or dental school, or another donee authorized by the board,
2 to be used for the advancement of medical science or for the
3 training of search and rescue animals.

4 SECTION 5. Section 691.030(a), Health and Safety Code, is
5 amended to read as follows:

6 (a) The board or the board's representative shall
7 distribute bodies donated to it and may redistribute bodies donated
8 to medical or dental schools or other donees authorized by the board
9 to schools and colleges of chiropractic, osteopathy, medicine, or
10 dentistry incorporated in this state, to physicians, to persons
11 certified by a state or local law enforcement agency to train search
12 and rescue animals, and to other persons as provided by this
13 section.

14 SECTION 6. Sections 691.033(a), (c), and (d), Health and
15 Safety Code, are amended to read as follows:

16 (a) To further medical science or provide specific
17 training, a school, college, or person designated by the board may
18 use, dissect, operate on, examine, and experiment on a body or
19 anatomical specimen distributed under this chapter.

20 (c) A law relating to the prevention of mutilation of a body
21 does not apply to the use of a body or a dissection, operation,
22 examination, or experiment performed under this section.

23 (d) To aid prosecutions under Section 42.08, Penal Code, the
24 board shall adopt rules that clearly state the activities that are
25 authorized by the board in relation to the use or dissection of a
26 body.

27 SECTION 7. Sections 691.034(a) and (d), Health and Safety

1 Code, are amended to read as follows:

2 (a) The board shall inspect and may approve institutions and
3 persons for the receipt and use of bodies and anatomical specimens
4 under this chapter.

5 (d) A person or institution is entitled to a hearing before
6 the board or a hearing examiner appointed by the board before the
7 board may revoke the person's or institution's authorization to
8 receive and use or dissect bodies or anatomical specimens. The
9 board shall make all final decisions to suspend or revoke an
10 authorization.

11 SECTION 8. Section 692A.002(3), Health and Safety Code, is
12 amended to read as follows:

13 (3) "Anatomical gift" means a donation of all or part
14 of a human body to take effect after the donor's death for the
15 purpose of transplantation, therapy, research, or education,
16 including training specifically authorized by law.

17 SECTION 9. Sections 692A.011(a) and (b), Health and Safety
18 Code, are amended to read as follows:

19 (a) An anatomical gift may be made to the following persons
20 named in the document of gift:

21 (1) an organ procurement organization to be used for
22 transplantation, therapy, research, or education;

23 (2) a hospital to be used for research;

24 (3) subject to Subsection (d), an individual
25 designated by the person making the anatomical gift if the
26 individual is the recipient of the part;

27 (4) an eye bank or tissue bank, except that use of a

1 gift of a whole body must be coordinated through the Anatomical
2 Board of the State of Texas;

3 (5) a forensic science program at:

4 (A) a general academic teaching institution as
5 defined by Section 61.003, Education Code; or

6 (B) a private or independent institution of
7 higher education as defined by Section 61.003, Education Code; ~~or~~

8 (6) a person certified by a state or local law
9 enforcement agency to train search and rescue animals; or

10 (7) the Anatomical Board of the State of Texas.

11 (b) Except for donations described by Subsections (a)(1)
12 through (6) ~~(5)~~, the Anatomical Board of the State of Texas shall
13 be the donee of gifts of bodies or parts of bodies made for the
14 purpose of education, including training, or research that are
15 subject to distribution by the board under Chapter 691.

16 SECTION 10. This Act takes effect September 1, 2011.