

By: Van de Putte, Birdwell

S.B. No. 99

A BILL TO BE ENTITLED

AN ACT

relating to persons authorized to control the disposition of the remains of certain members of the United States armed forces.

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

SECTION 1. Section 711.002, Health and Safety Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) For purposes of Subsection (a)(1), a written instrument includes a United States Department of Defense Record of Emergency Data, DD Form 93, or a successor form, in effect at the time of death for a decedent who died in a manner described by 10 U.S.C. Sections 1481(a)(1) through (8). Notwithstanding Subsections (b) and (c), the form is legally sufficient under Subsection (a)(1) if it is properly completed, signed by the decedent, and witnessed in the manner required by the form. To the extent the form conflicts with another written instrument described by Subsection (a)(1), DD Form 93, or a successor form, controls.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.