

1-1 By: Van de Putte, Birdwell S.B. No. 99
1-2 (In the Senate - Filed November 8, 2010; January 31, 2011,
1-3 read first time and referred to Committee on Veteran Affairs and
1-4 Military Installations; March 21, 2011, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 4,
1-6 Nays 0; March 21, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 99 By: Van de Putte

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to persons authorized to control the disposition of the
1-11 remains of certain members of the United States armed forces.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 711.002, Health and Safety Code, is
1-14 amended by adding Subsection (a-1) to read as follows:

1-15 (a-1) If a United States Department of Defense Record of
1-16 Emergency Data, DD Form 93, or a successor form, was in effect at
1-17 the time of death for a decedent who died in a manner described by 10
1-18 U.S.C. Sections 1481(a)(1) through (8), the DD Form 93 controls
1-19 over any other written instrument described by Subsection (a)(1) or
1-20 (g) with respect to designating a person to control the disposition
1-21 of the decedent's remains. Notwithstanding Subsections (b) and
1-22 (c), the form is legally sufficient if it is properly completed,
1-23 signed by the decedent, and witnessed in the manner required by the
1-24 form.

1-25 SECTION 2. This Act takes effect immediately if it receives
1-26 a vote of two-thirds of all the members elected to each house, as
1-27 provided by Section 39, Article III, Texas Constitution. If this
1-28 Act does not receive the vote necessary for immediate effect, this
1-29 Act takes effect September 1, 2011.

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