| **House Bill 74**  Senate Amendments  Section-by-Section Analysis | | |
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| HOUSE VERSION | SENATE VERSION (CS) | CONFERENCE |
| 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 1. Section 711.002, Health and Safety Code, is amended by adding Subsection (a-1) to read as follows:  (a-1) If a United States Department of Defense Record of Emergency Data, DD Form 93, or a successor form, was 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), the DD Form 93 controls over any other written instrument described by Subsection (a)(1) or (g) with respect to designating a person to control the disposition of the decedent's remains.  Notwithstanding Subsections (b) and (c), the form is legally sufficient if it is properly completed, signed by the decedent, and witnessed in the manner required by the form. |  |
| 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. | SECTION 2. Same as House version. |  |