

By: Kuempel

H.B. No. 4050

A BILL TO BE ENTITLED

AN ACT

relating to certain fees paid by political subdivisions in connection with the ordering or performance of an autopsy.

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

SECTION 1. Article 49.10, Code of Criminal Procedure, is amended by amending Subsections (b), (g), and (h) and adding Subsections (b-1), (g-1), and (h-1) to read as follows:

(b) For a body or body part found outside the boundaries of a municipality, the [The] commissioners court of the county shall pay a reasonable fee for a consultation obtained by a justice of the peace under Subsection (a) of this article.

(b-1) For a body or body part found within the boundaries of a municipality, the municipality shall pay a reasonable fee for a consultation obtained by a justice of the peace under Subsection (a) of this article.

(g) For a body or body part found outside the boundaries of a municipality, the [The] commissioners court shall pay a reasonable fee to a physician performing an autopsy on the order of a justice of the peace, if a fee is assessed.

(g-1) For a body or body part found within the boundaries of a municipality, the municipality shall pay a reasonable fee to a physician performing an autopsy on the order of a justice of the peace, if a fee is assessed.

(h) For a body or body part found outside the boundaries of a

1 municipality, the [~~The~~] commissioners court shall pay a reasonable
2 fee for the transportation of the [~~a~~] body or body part to a place
3 where an autopsy can be performed under this article if a justice of
4 the peace orders the body or body part to be transported to the
5 place.

6 (h-1) For a body or body part found within the boundaries of
7 a municipality, the municipality shall pay a reasonable fee for the
8 transportation of the body or body part to a place where an autopsy
9 can be performed under this article if a justice of the peace orders
10 the body or body part to be transported to the place.

11 SECTION 2. The change in law made by this Act applies only
12 to an autopsy ordered on or after the effective date of this Act. An
13 autopsy ordered before the effective date of this Act is governed by
14 the law in effect on the date the autopsy was ordered, and the
15 former law is continued in effect for that purpose.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2015.