

1-1 By: Taylor of Collin S.B. No. 1214  
1-2 (In the Senate - Filed March 11, 2015; March 17, 2015, read  
1-3 first time and referred to Committee on Health and Human Services;  
1-4 April 7, 2015, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; April 7, 2015, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	Schwertner	X		
1-9	Kolkhorst	X		
1-10	Campbell	X		
1-11	Estes	X		
1-12	Perry	X		
1-13	Rodríguez	X		
1-14	Taylor of Collin	X		
1-15	Uresti	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to the use of human remains for forensic science  
1-20 education, including the training of search and rescue animals.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 691.022(a), Health and Safety Code, is  
1-23 amended to read as follows:

1-24 (a) The board shall distribute bodies and anatomical  
1-25 specimens to institutions and other persons authorized to receive  
1-26 them.

1-27 SECTION 2. Section 691.0225, Health and Safety Code, is  
1-28 amended to read as follows:

1-29 Sec. 691.0225. INFORMATIONAL DOCUMENT. The board shall  
1-30 develop a document to inform a person making a gift of a decedent's  
1-31 body or anatomical specimen for purposes of education, including  
1-32 forensic science education, or research of the risks and benefits  
1-33 associated with donation. The board shall make the document  
1-34 available on the board's Internet website.

1-35 SECTION 3. Section 691.023(a), Health and Safety Code, is  
1-36 amended to read as follows:

1-37 (a) An officer, employee, or representative of the state, of  
1-38 a political subdivision, or of an institution having charge or  
1-39 control of a body not claimed for burial or a body required to be  
1-40 buried at public expense shall:

1-41 (1) notify the board or the board's representative of  
1-42 the body's existence when the body comes into the person's  
1-43 possession, charge, or control if notified in writing to do so by  
1-44 the board or the board's representative;

1-45 (2) deliver the body in accordance with the direction  
1-46 of the board; and

1-47 (3) allow the board, the board's representative, or a  
1-48 physician designated by the board who complies with this chapter to  
1-49 remove the body to be used for the advancement of medical or  
1-50 forensic science.

1-51 SECTION 4. Section 691.026, Health and Safety Code, is  
1-52 amended to read as follows:

1-53 Sec. 691.026. BODY OF TRAVELER. If an unclaimed body is the  
1-54 body of a traveler who died suddenly, the board shall direct the  
1-55 institution or other person receiving the body to retain the body  
1-56 for six months for purposes of identification.

1-57 SECTION 5. Section 691.028(a), Health and Safety Code, is  
1-58 amended to read as follows:

1-59 (a) An adult living in this state who is of sound mind may  
1-60 donate the adult's ~~his~~ body by will or other written instrument to  
1-61 the board, a medical or dental school, or another donee authorized

2-1 by the board, to be used for the advancement of medical or forensic  
 2-2 science.

2-3 SECTION 6. Section 691.030(a), Health and Safety Code, is  
 2-4 amended to read as follows:

2-5 (a) The board or the board's representative shall  
 2-6 distribute bodies donated to it and may redistribute bodies donated  
 2-7 to medical or dental schools or other donees authorized by the board  
 2-8 to:

2-9 (1) schools and colleges of chiropractic, osteopathy,  
 2-10 medicine, or dentistry incorporated in this state;

2-11 (2) forensic science programs;

2-12 (3) search and rescue organizations or recovery teams  
 2-13 that are recognized by the board, are exempt from federal taxation  
 2-14 under Section 501(c)(3), Internal Revenue Code of 1986, and use  
 2-15 human remains detection canines with the authorization of a local  
 2-16 or county law enforcement agency;

2-17 (4) ~~[-, to]~~ physicians; ~~[-]~~ and

2-18 (5) ~~[-to]~~ other persons as provided by this section.

2-19 SECTION 7. Sections 691.033(a), (c), and (d), Health and  
 2-20 Safety Code, are amended to read as follows:

2-21 (a) To further medical or forensic science, a school,  
 2-22 college, or person designated by the board may use, dissect,  
 2-23 operate on, examine, and experiment on a body or anatomical  
 2-24 specimen distributed under this chapter.

2-25 (c) A law relating to the prevention of mutilation of a body  
 2-26 does not apply to the use of a body as authorized under this section  
 2-27 or a dissection, operation, examination, or experiment performed  
 2-28 under this section.

2-29 (d) To aid prosecutions under Section 42.08, Penal Code, the  
 2-30 board shall adopt rules that clearly state the activities that are  
 2-31 authorized by the board in relation to the use or dissection of a  
 2-32 body.

2-33 SECTION 8. Sections 691.034(a), (c), and (d), Health and  
 2-34 Safety Code, are amended to read as follows:

2-35 (a) The board shall inspect and may approve institutions and  
 2-36 other persons for the receipt and use of bodies and anatomical  
 2-37 specimens under this chapter.

2-38 (c) The board may suspend or revoke a person's or  
 2-39 institution's authorization to receive and use or dissect bodies or  
 2-40 anatomical specimens if the board determines that the person or  
 2-41 institution has improperly used a body or anatomical specimen.

2-42 (d) A person or institution is entitled to a hearing before  
 2-43 the board or a hearing examiner appointed by the board before the  
 2-44 board may revoke the person's or institution's authorization to  
 2-45 receive and use or dissect bodies or anatomical specimens. The  
 2-46 board shall make all final decisions to suspend or revoke an  
 2-47 authorization.

2-48 SECTION 9. Section 692A.002, Health and Safety Code, is  
 2-49 amended by adding Subdivision (11-a) to read as follows:

2-50 (11-a) "Education" with respect to the purposes  
 2-51 authorized by law for making an anatomical gift includes forensic  
 2-52 science education and related training.

2-53 SECTION 10. Sections 692A.011(a) and (b), Health and Safety  
 2-54 Code, are amended to read as follows:

2-55 (a) An anatomical gift may be made to the following persons  
 2-56 named in the document of gift:

2-57 (1) an organ procurement organization to be used for  
 2-58 transplantation, therapy, research, or education;

2-59 (2) a hospital to be used for research;

2-60 (3) subject to Subsection (d), an individual  
 2-61 designated by the person making the anatomical gift if the  
 2-62 individual is the recipient of the part;

2-63 (4) an eye bank or tissue bank, except that use of a  
 2-64 gift of a whole body must be coordinated through the Anatomical  
 2-65 Board of the State of Texas;

2-66 (5) a forensic science program at:

2-67 (A) a general academic teaching institution as  
 2-68 defined by Section 61.003, Education Code; or

2-69 (B) a private or independent institution of

3-1 higher education as defined by Section 61.003, Education Code; ~~or~~  
3-2 (6) a search and rescue organization or recovery team  
3-3 that is recognized by the Anatomical Board of the State of Texas, is  
3-4 exempt from federal taxation under Section 501(c)(3), Internal  
3-5 Revenue Code of 1986, and uses human remains detection canines with  
3-6 the authorization of a local or county law enforcement agency; or  
3-7 (7) the Anatomical Board of the State of Texas.

3-8 (b) Except for donations described by Subsections (a)(1)  
3-9 through (6) ~~(45)~~, the Anatomical Board of the State of Texas shall  
3-10 be the donee of gifts of bodies or parts of bodies made for the  
3-11 purpose of education or research that are subject to distribution  
3-12 by the board under Chapter 691.

3-13 SECTION 11. As soon as practicable after the effective date  
3-14 of this Act, the Anatomical Board of the State of Texas shall adopt  
3-15 the rules necessary to implement the changes in law made by this Act  
3-16 to Chapter 691, Health and Safety Code, and Section 692A.011,  
3-17 Health and Safety Code.

3-18 SECTION 12. This Act takes effect September 1, 2015.

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