

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 17, 2019

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB2430 by Reynolds (Relating to requirements in a suit for the removal of human remains from a cemetery.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Health and Safety Code in relation to a court order to remove human remains from a cemetery. Under current law, a district court in a county where a cemetery is located can grant permission remove remains from that cemetery if consent cannot otherwise be obtained. The bill would amend the law regarding notice given to any other entity the court subsequently requires to be served. The bill would eliminate the ability of the Texas Historical Commission and the applicable county historical commission from intervening in a suit to move human remains. The bill would allow the court to appoint anyone it considers necessary to determine whether removal of the remains is in the public interest.

Based on the analysis of the Office of Court Administration and the Texas Historical Commission, provisions of the bill could be implemented with existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 808 Historical Commission

LBB Staff: WP, SLE, MW, DA, PBO, LCO