

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Davis of Dallas

H.B. No. 1731

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the payment for funeral services performed by a  
3 transferring funeral home under a purchase agreement for funeral  
4 services or merchandise.

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

6 SECTION 1. Section 651.406, Occupations Code, is amended by  
7 adding Subsection (e) to read as follows:

8 (e) A funeral establishment that receives a dead human body  
9 transferred from another funeral establishment shall include in the  
10 purchase agreement any amounts, itemized by funeral service, owed  
11 by the customer to the transferring funeral establishment. The  
12 recipient funeral establishment shall at the time of receipt of the  
13 body remit to the transferring funeral establishment any amounts  
14 incurred by the transferring funeral establishment.

15 SECTION 2. Section 651.406(e), Occupations Code, as added  
16 by this Act, applies only to a purchase agreement entered into on or  
17 after the effective date of this Act. A purchase agreement entered  
18 into before the effective date of this Act is governed by the law in  
19 effect immediately before the effective date of this Act, and that  
20 law is continued in effect for that purpose.

21 SECTION 3. This Act takes effect September 1, 2019.

ADOPTED

MAY 22 2019

*Letay Spaul*  
Secretary of the Senate

By: Hancock

H.B. No. 1731

Substitute the following for ~~H.B. No. 1731~~:

By: Hancock *Kelly Harmon*

C.S.H.B. No. 1731

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9 transferred from another funeral establishment shall include in the  
10 purchase agreement any amount owed by the customer to the  
11 transferring funeral establishment. The recipient funeral  
12 establishment shall remit to the transferring funeral  
13 establishment any amount collected on behalf of the transferring  
14 funeral establishment.

15 SECTION 2. Section 651.406(e), Occupations Code, as added  
16 by this Act, applies only to a purchase agreement entered into or  
17 renewed on or after the effective date of this Act. A purchase  
18 agreement entered into or renewed before the effective date of this  
19 Act is governed by the law in effect immediately before the  
20 effective date of this Act, and that law is continued in effect for  
21 that purpose.

22 SECTION 3. This Act takes effect September 1, 2019.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 23, 2019**

**TO:** Honorable Dennis Bonnen, Speaker of the House, House of Representatives

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

**IN RE: HB1731** by Davis, Yvonne (Relating to the payment for funeral services performed by a transferring funeral home under a purchase agreement for funeral services or merchandise.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
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The Funeral Service Commission anticipates any additional work resulting from the passage of the bill, related to handling complaints, could be absorbed within current resources.

The bill would take effect on September 1, 2019.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 451 Department of Banking, 513 Funeral Service Commission

**LBB Staff:** WP, SD, CLo, CMa, SGr, MB

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 20, 2019**

**TO:** Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

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

**IN RE: HB1731** by Davis, Yvonne (Relating to the payment for funeral services performed by a transferring funeral home under a purchase agreement for funeral services or merchandise.), **Committee Report 2nd House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The Funeral Service Commission anticipates any additional work resulting from the passage of the bill, related to handling complaints, could be absorbed within current resources.

The bill would take effect on September 1, 2019.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 451 Department of Banking, 513 Funeral Service Commission

**LBB Staff:** WP, CLo, CMa, SGr, MB

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 9, 2019**

**TO:** Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

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

**IN RE: HB1731** by Davis, Yvonne (Relating to the payment for funeral services performed by a transferring funeral home under a purchase agreement for funeral services or merchandise.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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The Funeral Service Commission anticipates any additional work resulting from the passage of the bill, related to handling complaints, could be absorbed within current resources.

The bill would take effect on September 1, 2019.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 451 Department of Banking, 513 Funeral Service Commission

**LBB Staff:** WP, CLo, CMa, SGr, MB

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 22, 2019**

**TO:** Honorable Jim Murphy, Chair, House Committee on Pensions, Investments & Financial Services

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

**IN RE: HB1731** by Davis, Yvonne (relating to the payment for funeral services performed by a transferring funeral home under a purchase agreement for funeral services or merchandise.), **Committee Report 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The Funeral Service Commission anticipates any additional work resulting from the passage of the bill, related to handling complaints, could be absorbed within current resources.

The bill would take effect on September 1, 2019.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 451 Department of Banking, 513 Funeral Service Commission

**LBB Staff:** WP, CMa, SGr, MB

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**March 25, 2019**

**TO:** Honorable Jim Murphy, Chair, House Committee on Pensions, Investments & Financial Services

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

**IN RE: HB1731** by Davis, Yvonne (Relating to the payment for funeral services performed by a transferring funeral home under a prepaid funeral contract or a purchase agreement for funeral services or merchandise.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The Funeral Service Commission anticipates any additional work resulting from the passage of the bill, related to handling complaints, could be absorbed within current resources.

The bill would take effect on September 1, 2019.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 451 Department of Banking, 513 Funeral Service Commission

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