

By: Turner of Dallas, Oliverson, Guerra

H.B. No. 1011

A BILL TO BE ENTITLED

AN ACT

relating to expedited death certificates for religious purposes in certain counties.

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

SECTION 1. Chapter 193, Health and Safety Code, is amended by adding Section 193.0025 to read as follows:

Sec. 193.0025. EXPEDITED DEATH CERTIFICATES FOR RELIGIOUS PURPOSES IN CERTAIN COUNTIES. (a) This section applies only to a county:

(1) with an office of medical examiner established in accordance with Section 1, Article 49.25, Code of Criminal Procedure; and

(2) for which the commissioners court of the county by resolution elects for this section to apply.

(b) This section does not apply to a county that entered into an agreement with another county to create a medical examiners district under Section 1-a, Article 49.25, Code of Criminal Procedure, unless:

(1) the office of medical examiner is located in the county and the county has adopted a resolution described by Subsection (a)(2); or

(2) notwithstanding Subsection (a), the county elects for this section to apply in the agreement creating the district.

(c) An individual may submit to the person required to file

1 a death certificate under Section 193.002 a written request for the
2 person to expedite the completion of a decedent's death certificate
3 if the requestor demonstrates that:

4 (1) the expedited completion is necessary for
5 religious purposes;

6 (2) the decedent's remains will be interred, entombed,
7 buried, cremated, or otherwise laid to rest in a foreign country;
8 and

9 (3) the requestor is authorized to obtain a copy of the
10 death certificate.

11 (d) A person who receives a request under Subsection (c)
12 shall issue a copy of the decedent's death certificate to the
13 requestor not later than 48 hours after the time the person receives
14 the request unless an inquest will be conducted for the decedent.

15 (e) For purposes of completing an expedited death
16 certificate under this section, a medical examiner may:

17 (1) perform a medical examination; and

18 (2) complete the medical certification, provided:

19 (A) the medical examiner has access to the
20 decedent's medical history relevant to the death;

21 (B) the decedent's death is due to natural
22 causes; and

23 (C) the medical examiner serves as medical
24 examiner of the county in which the death occurred.

25 (f) The executive commissioner shall adopt rules necessary
26 to implement this section.

27 SECTION 2. As soon as practicable after the effective date

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1 of this Act, the executive commissioner of the Health and Human
2 Services Commission shall adopt rules necessary to implement
3 Section 193.0025, Health and Safety Code, as added by this Act.

4 SECTION 3. This Act takes effect September 1, 2021.