

1-1 By: Paddie (Senate Sponsor - Buckingham) H.B. No. 1565  
 1-2 (In the Senate - Received from the House April 21, 2021;  
 1-3 May 13, 2021, read first time and referred to Committee on Business  
 1-4 & Commerce; May 19, 2021, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;  
 1-6 May 19, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17			X	

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1565 By: Hancock

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the continuation and transfer of the regulation of  
 1-22 willed body programs to the Texas Funeral Service Commission, the  
 1-23 regulation of willed body programs and non-transplant anatomical  
 1-24 donation organizations, and the creation of the State Anatomical  
 1-25 Advisory Committee; authorizing a fee.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 ARTICLE 1. STATE ANATOMICAL ADVISORY COMMITTEE; TEXAS FUNERAL  
 1-28 SERVICE COMMISSION

1-29 SECTION 1.01. The heading to Chapter 691, Health and Safety  
 1-30 Code, is amended to read as follows:

1-31 CHAPTER 691. DONATION OF BODIES AND ANATOMICAL SPECIMENS  
 1-32 ~~[ANATOMICAL BOARD OF THE STATE OF TEXAS]~~

1-33 SECTION 1.02. The heading to Subchapter A, Chapter 691,  
 1-34 Health and Safety Code, is amended to read as follows:

1-35 SUBCHAPTER A. GENERAL PROVISIONS; STATE ~~[ORGANIZATION OF]~~  
 1-36 ANATOMICAL ADVISORY COMMITTEE ~~[BOARD OF THE STATE OF TEXAS]~~

1-37 SECTION 1.03. Section 691.001, Health and Safety Code, is  
 1-38 amended by amending Subdivision (1) and adding Subdivisions (4),  
 1-39 (5), and (6) to read as follows:

1-40 (1) "Advisory committee ~~[Board]~~" means the State  
 1-41 Anatomical Advisory Committee ~~[Board of the State of Texas]~~.

1-42 (4) "Commission" means the Texas Funeral Service  
 1-43 Commission.

1-44 (5) "Non-transplant anatomical donation organization"  
 1-45 means a person licensed, accredited, or regulated under federal or  
 1-46 state law to engage in the recovery, screening, testing,  
 1-47 processing, storage, or distribution of tissue or human remains for  
 1-48 any purpose other than transplantation into a living individual.

1-49 (6) "Willed body program" means a program operated at  
 1-50 an institution of higher education in this state and approved by the  
 1-51 commission that allows a living individual to donate the  
 1-52 individual's body or anatomical specimen for educational or  
 1-53 research purposes.

1-54 SECTION 1.04. Section 691.002, Health and Safety Code, is  
 1-55 amended to read as follows:

1-56 Sec. 691.002. ADVISORY COMMITTEE ~~[COMPOSITION OF BOARD]~~.  
 1-57 (a) The State Anatomical Advisory Committee is established to  
 1-58 advise the commission on matters related to the regulation and  
 1-59 operation of willed body programs and non-transplant anatomical  
 1-60 donation organizations in this state.

2-1           (b) The advisory committee is composed of representatives  
 2-2 appointed by the commission from institutions of higher education  
 2-3 that operate willed body programs and at least one non-transplant  
 2-4 anatomical donation organization. The majority of the members of  
 2-5 the advisory committee must be representatives from institutions of  
 2-6 higher education that operate willed body programs [~~The Anatomical~~  
 2-7 ~~Board of the State of Texas is composed of one representative from~~  
 2-8 ~~each school or college of chiropractic, osteopathy, medicine, or~~  
 2-9 ~~dentistry incorporated in this state].~~

2-10           (c) Members of the advisory committee serve two-year terms  
 2-11 [(b) On March 1 of each odd-numbered year, the chief executive  
 2-12 officer of each institution described by Subsection (a) shall  
 2-13 appoint as the institution's representative on the board one  
 2-14 professor of surgery or of basic anatomical sciences who is  
 2-15 associated with the institution].

2-16           (d) [~~(c)~~] Appointments to the advisory committee [board]  
 2-17 shall be made without regard to the race, creed, sex, religion, or  
 2-18 national origin of the appointees.

2-19           (e) Sections 2110.002 and 2110.008, Government Code, do not  
 2-20 apply to the advisory committee.

2-21           SECTION 1.05. Section 691.007(c), Health and Safety Code,  
 2-22 is redesignated as Section 691.011, Health and Safety Code, and  
 2-23 amended to read as follows:

2-24           Sec. 691.011. RECORDS. [~~(c)~~] The commission [board] shall  
 2-25 keep identification records of each body donated to the commission  
 2-26 [board] and of each body or anatomical specimen distributed by the  
 2-27 commission [board].

2-28           SECTION 1.06. Section 691.008(a), Health and Safety Code,  
 2-29 is redesignated as Section 691.012, Health and Safety Code, and  
 2-30 amended to read as follows:

2-31           Sec. 691.012. FEES. [~~(a)~~] The commission [board] may set  
 2-32 and collect reasonable and necessary fees for the cost of  
 2-33 administering this chapter, including:

2-34           (1) receiving and distributing bodies and anatomical  
 2-35 specimens;

2-36           (2) transferring bodies and anatomical specimens  
 2-37 between institutions, organizations, or other persons authorized  
 2-38 to transfer or receive bodies or anatomical specimens under this  
 2-39 chapter; and

2-40           (3) conducting inspections of institutions,  
 2-41 organizations, or other persons authorized to receive and use  
 2-42 bodies or anatomical specimens under this chapter.

2-43           SECTION 1.07. Section 691.010, Health and Safety Code, is  
 2-44 amended to read as follows:

2-45           Sec. 691.010. PUBLIC INFORMATION AND PARTICIPATION;  
 2-46 COMPLAINTS. (a) The commission [board] shall prepare information  
 2-47 of public interest describing the functions of the commission under  
 2-48 this chapter [board] and the commission's [board's] procedures by  
 2-49 which complaints are filed with and resolved by the commission  
 2-50 [board]. The commission [board] shall make the information  
 2-51 available to the public and appropriate state agencies.

2-52           (b) The commission [board] by rule shall establish methods  
 2-53 by which service recipients can be notified of the name, mailing  
 2-54 address, and telephone number of the commission [board] for the  
 2-55 purpose of directing complaints to the commission [board]. The  
 2-56 commission [board] may provide for that notification by including  
 2-57 the information on each written contract relating to bodies willed  
 2-58 or donated to an entity regulated by the commission [board] or  
 2-59 authorized by the commission [board] to receive bodies.

2-60           (c) The commission [board] shall keep an information file  
 2-61 about each complaint filed with the commission [board] relating to  
 2-62 its functions under this chapter. If a written complaint is filed  
 2-63 with the commission [board] relating to a person or an entity  
 2-64 regulated by the commission under this chapter [board], the  
 2-65 commission [board, at least as frequently as quarterly and until  
 2-66 final disposition of the complaint,] shall periodically notify the  
 2-67 parties to the complaint of the status of the complaint until final  
 2-68 disposition unless notice would jeopardize an undercover  
 2-69 investigation.

3-1 (d) The commission [~~board~~] shall develop and implement  
 3-2 policies that provide the public with a reasonable opportunity to  
 3-3 appear before the commission [~~board~~] and to speak on any issue under  
 3-4 the jurisdiction of the commission [~~board~~].

3-5 SECTION 1.08. Section 691.022, Health and Safety Code, is  
 3-6 amended to read as follows:

3-7 Sec. 691.022. GENERAL DUTIES. (a) The commission [~~board~~]  
 3-8 shall distribute bodies and anatomical specimens to institutions of  
 3-9 higher education that operate willed body programs and other  
 3-10 institutions and persons authorized to receive a body or specimen  
 3-11 under this chapter [~~them~~].

3-12 (b) The commission [~~board~~] shall adopt rules to ensure that  
 3-13 each body and anatomical specimen is treated with respect while in  
 3-14 the custody of the commission [~~board~~] or an institution or person  
 3-15 authorized to receive the body or specimen, including an  
 3-16 institution of higher education that operates a willed body program  
 3-17 and a non-transplant anatomical donation organization [~~represented~~  
 3-18 ~~on the board is treated with respect~~].

3-19 (c) Except as provided by Subsection (d), the commission may  
 3-20 not adopt a rule related to standards of practice, ethics,  
 3-21 qualifications, or disciplinary sanctions for institutions or  
 3-22 persons regulated under this chapter unless the advisory committee  
 3-23 first proposes the rule and the proposed rule is authorized by this  
 3-24 chapter. The commission may not modify a rule described by this  
 3-25 subsection that is proposed by the advisory committee. If the  
 3-26 commission declines to adopt a rule proposed by the advisory  
 3-27 committee, the commission shall return the rule to the advisory  
 3-28 committee with an explanation of the reasons the commission  
 3-29 declined to adopt the rule.

3-30 (d) The commission may, but is not required to, coordinate  
 3-31 with the advisory committee to adopt rules regarding non-transplant  
 3-32 anatomical donation organizations.

3-33 (e) The commission shall adopt rules, establish procedures,  
 3-34 and prescribe forms necessary to administer and enforce this  
 3-35 chapter.

3-36 SECTION 1.09. Section 691.0225, Health and Safety Code, is  
 3-37 amended to read as follows:

3-38 Sec. 691.0225. INFORMATIONAL DOCUMENT. The commission  
 3-39 [~~board~~] shall develop a document to inform a person making a gift of  
 3-40 a decedent's body or anatomical specimen for purposes of education,  
 3-41 including forensic science education, or research of the risks and  
 3-42 benefits associated with donation. The commission [~~board~~] shall  
 3-43 make the document available on the commission's [~~board's~~] Internet  
 3-44 website.

3-45 SECTION 1.10. Section 691.023, Health and Safety Code, is  
 3-46 amended to read as follows:

3-47 Sec. 691.023. DUTY TO DELIVER CERTAIN BODIES TO COMMISSION  
 3-48 [~~BOARD~~]. (a) An officer, employee, or representative of the state,  
 3-49 of a political subdivision, or of an institution having charge or  
 3-50 control of a body not claimed for burial or a body required to be  
 3-51 buried at public expense shall:

3-52 (1) notify the commission [~~board~~] or the commission's  
 3-53 [~~board's~~] representative of the body's existence when the body  
 3-54 comes into the person's possession, charge, or control if notified  
 3-55 in writing to do so by the commission [~~board~~] or the commission's  
 3-56 [~~board's~~] representative;

3-57 (2) deliver the body in accordance with the direction  
 3-58 of the commission [~~board~~]; and

3-59 (3) allow the commission [~~board~~], the commission's  
 3-60 [~~board's~~] representative, or a physician designated by the  
 3-61 commission [~~board~~] who complies with this chapter to remove the  
 3-62 body to be used for the advancement of medical or forensic science.

3-63 (b) If the commission [~~board~~] does not require a political  
 3-64 subdivision or agency of the political subdivision to deliver a  
 3-65 body under this section, the political subdivision shall pay all  
 3-66 costs of preparation for burial, including costs of embalming.

3-67 SECTION 1.11. Section 691.025(c), Health and Safety Code,  
 3-68 is amended to read as follows:

3-69 (c) A body that is not claimed for burial within 48 hours

4-1 after a relative receives notification shall be delivered as soon  
4-2 as possible to the commission [~~board~~] or the commission's [~~board's~~]  
4-3 representative.

4-4 SECTION 1.12. Section 691.026, Health and Safety Code, is  
4-5 amended to read as follows:

4-6 Sec. 691.026. BODY OF TRAVELER. If an unclaimed body is the  
4-7 body of a traveler who died suddenly, the commission [~~board~~] shall  
4-8 direct the institution or other person receiving the body to retain  
4-9 the body for six months for purposes of identification.

4-10 SECTION 1.13. Section 691.027, Health and Safety Code, is  
4-11 amended to read as follows:

4-12 Sec. 691.027. AUTOPSY. Only the commission [~~board~~] may  
4-13 grant permission to perform an autopsy on an unclaimed body. The  
4-14 commission [~~board~~] may grant permission after receiving a specific  
4-15 request for an autopsy that shows sufficient evidence of medical  
4-16 urgency.

4-17 SECTION 1.14. Section 691.028(a), Health and Safety Code,  
4-18 is amended to read as follows:

4-19 (a) An adult living in this state who is of sound mind may  
4-20 donate the adult's body by will or other written instrument to the  
4-21 commission [~~board~~], a medical or dental school, a non-transplant  
4-22 anatomical donation organization, or another donee authorized by  
4-23 the commission [~~board~~] to be used for the advancement of medical or  
4-24 forensic science.

4-25 SECTION 1.15. Section 691.029, Health and Safety Code, is  
4-26 amended to read as follows:

4-27 Sec. 691.029. AUTHORITY TO RECEIVE, DISTRIBUTE, AND  
4-28 TRANSFER [~~ACCEPT~~] BODIES OR ANATOMICAL SPECIMENS [~~FROM OUTSIDE THE~~  
4-29 ~~STATE~~]. The commission [~~board~~] may receive, distribute, and  
4-30 transfer a body or anatomical specimen from inside or [~~a body~~  
4-31 ~~transported to the board from~~] outside this state.

4-32 SECTION 1.16. Section 691.030, Health and Safety Code, is  
4-33 amended to read as follows:

4-34 Sec. 691.030. COMMISSION'S [~~BOARD'S~~] AUTHORITY TO  
4-35 DISTRIBUTE BODIES AND ANATOMICAL SPECIMENS. (a) The commission  
4-36 [~~board~~] or the commission's [~~board's~~] representative shall  
4-37 distribute bodies donated to it and may redistribute bodies donated  
4-38 to medical or dental schools or other donees authorized by the  
4-39 commission [~~board~~] to:

- 4-40 (1) schools and colleges of chiropractic, osteopathy,  
4-41 medicine, or dentistry incorporated in this state;
- 4-42 (2) forensic science programs;
- 4-43 (3) search and rescue organizations or recovery teams  
4-44 that are recognized by the commission [~~board~~], are exempt from  
4-45 federal taxation under Section 501(c)(3), Internal Revenue Code of  
4-46 1986, and use human remains detection canines with the  
4-47 authorization of a local or county law enforcement agency;
- 4-48 (4) physicians; and
- 4-49 (5) other persons as provided by this section.

4-50 (b) In making the distribution, the commission [~~board~~]  
4-51 shall give priority to the schools and colleges that need bodies for  
4-52 lectures, labs, and demonstrations.

4-53 (c) If the commission [~~board~~] has remaining bodies, the  
4-54 commission [~~board~~] or the commission's [~~board's~~] representative  
4-55 shall distribute or redistribute those bodies to the schools and  
4-56 colleges proportionately and equitably according to the number of  
4-57 students in each school or college receiving instruction or  
4-58 demonstration in normal or morbid anatomy and operative surgery.  
4-59 The president of each university or dean of each school or college  
4-60 shall certify that number to the commission [~~board~~] when required  
4-61 by the commission [~~board~~].

4-62 (d) The commission [~~board~~] may transport a body or  
4-63 anatomical specimen to an authorized recipient in another state if  
4-64 the commission [~~board~~] determines that the supply of bodies or  
4-65 anatomical specimens in this state exceeds the need for bodies or  
4-66 anatomical specimens in this state and if:

- 4-67 (1) the deceased donated the deceased's [~~his~~] body in  
4-68 compliance with Section 691.028 and at the time of the donation  
4-69 authorized the commission [~~board~~] to transport the body outside



5-1 this state; or

5-2 (2) the body was donated in compliance with Chapter  
5-3 692A and the person authorized to make the donation under Section  
5-4 692A.009 authorized the commission [~~board~~] to transport the body  
5-5 outside this state.

5-6 (e) This section does not apply to a body donated to a  
5-7 non-transplant anatomical donation organization.

5-8 SECTION 1.17. Sections 691.031(a), (b), and (f), Health and  
5-9 Safety Code, are amended to read as follows:

5-10 (a) The commission [~~board~~] shall adopt rules to ensure that:

5-11 (1) each body or anatomical specimen received or  
5-12 distributed under this chapter [~~by the board~~] is properly  
5-13 transported;

5-14 (2) a label with the statement "CONTENTS DERIVED FROM  
5-15 DONATED HUMAN TISSUE" is affixed to the container in which the body  
5-16 or anatomical specimen is transported; and

5-17 (3) each person who has control or possession of a body  
5-18 or anatomical specimen:

5-19 (A) satisfactorily completes the information  
5-20 required on a chain-of-custody form prescribed by the commission  
5-21 [~~board~~];

5-22 (B) maintains a copy of the form for the person's  
5-23 records; and

5-24 (C) transfers the form to any other person to  
5-25 whom control or possession of the body or anatomical specimen is  
5-26 transferred.

5-27 (b) The commission [~~board~~] may employ a public carrier to  
5-28 transport bodies or anatomical specimens received or distributed by  
5-29 the commission [~~board~~].

5-30 (f) The sender and receiver of each body or anatomical  
5-31 specimen shall file the records required under this section in  
5-32 accordance with commission [~~board~~] rules so that the commission  
5-33 [~~board~~] or a district or county attorney may inspect the records at  
5-34 any time.

5-35 SECTION 1.18. Section 691.032, Health and Safety Code, is  
5-36 amended to read as follows:

5-37 Sec. 691.032. COSTS OF DISTRIBUTION. A person or  
5-38 institution receiving a body or anatomical specimen under this  
5-39 chapter shall pay in a manner specified by the commission [~~board~~],  
5-40 or as otherwise agreed on, all costs incurred in distributing the  
5-41 body or anatomical specimen so that the state, a county, a  
5-42 municipality, or an officer, employee, or representative of the  
5-43 state, a county, or a municipality does not incur any expense.

5-44 SECTION 1.19. Sections 691.033(a), (b), and (d), Health and  
5-45 Safety Code, are amended to read as follows:

5-46 (a) To further medical or forensic science, a willed body  
5-47 program, non-transplant anatomical donation organization, [~~school,~~  
5-48 ~~college,~~] or other person designated by the commission [~~board~~] may  
5-49 use, dissect, operate on, examine, and experiment on a body or  
5-50 anatomical specimen distributed under this chapter.

5-51 (b) A willed body program, non-transplant anatomical  
5-52 donation organization, [~~school, college,~~] or other person shall  
5-53 keep a permanent record of each body or anatomical specimen  
5-54 received from the commission [~~board~~] or the commission's [~~board's~~]  
5-55 representative. The record must be sufficient to identify the body  
5-56 or anatomical specimen and may be inspected by the commission  
5-57 [~~board~~] or the commission's [~~board's~~] representative.

5-58 (d) To aid prosecutions under Section 42.08, Penal Code, the  
5-59 commission [~~board~~] shall adopt rules that clearly state the  
5-60 activities that are authorized by the commission [~~board~~] in  
5-61 relation to the use or dissection of a body.

5-62 SECTION 1.20. Section 691.034, Health and Safety Code, is  
5-63 amended to read as follows:

5-64 Sec. 691.034. REGULATION OF PERSONS AND INSTITUTIONS USING  
5-65 BODIES AND ANATOMICAL SPECIMENS. (a) The commission [~~board~~] shall  
5-66 inspect and may approve willed body programs, non-transplant  
5-67 anatomical donation organizations, [~~institutions~~] and other  
5-68 persons for the receipt and use of bodies and anatomical specimens  
5-69 under this chapter.

6-1 (b) The commission [board] may investigate a willed body  
 6-2 program, non-transplant anatomical donation organization, or other  
 6-3 person [or institution] if the commission [board] has reason to  
 6-4 believe that the program, organization, or person [or institution]  
 6-5 has improperly used a body or anatomical specimen.

6-6 (c) The commission [board] may suspend or revoke a willed  
 6-7 body program's, non-transplant anatomical donation organization's,  
 6-8 or other person's [or institution's] authorization to receive and  
 6-9 use or dissect bodies or anatomical specimens if the commission  
 6-10 [board] determines that the program, organization, or person [or  
 6-11 institution] has improperly used a body or anatomical specimen.

6-12 (d) A willed body program, non-transplant anatomical  
 6-13 donation organization, or other person [or institution] is entitled  
 6-14 to a hearing before the commission [board] or a hearing examiner  
 6-15 appointed by the commission [board] before the commission [board]  
 6-16 may revoke the program's, organization's, or person's [or  
 6-17 institution's] authorization to receive and use or dissect bodies  
 6-18 or anatomical specimens. The commission [board] shall make all  
 6-19 final decisions to suspend or revoke an authorization.

6-20 SECTION 1.21. Subchapter A, Chapter 651, Occupations Code,  
 6-21 is amended by adding Section 651.005 to read as follows:

6-22 Sec. 651.005. REGULATION OF WILLED BODY PROGRAMS AND  
 6-23 NON-TRANSPLANT ANATOMICAL DONATION ORGANIZATIONS. The commission  
 6-24 shall regulate willed body programs and non-transplant anatomical  
 6-25 donation organizations as provided by Chapter 691, Health and  
 6-26 Safety Code, and in accordance with the powers and duties granted by  
 6-27 this chapter to the extent necessary to regulate the programs under  
 6-28 that chapter.

6-29 SECTION 1.22. The following provisions of the Health and  
 6-30 Safety Code are repealed:

- 6-31 (1) Section 691.003;
- 6-32 (2) Section 691.004;
- 6-33 (3) Section 691.005;
- 6-34 (4) Section 691.006;
- 6-35 (5) Sections 691.007(a), (b), and (d);
- 6-36 (6) Sections 691.008(b) and (d);
- 6-37 (7) the headings to Sections 691.007 and 691.008; and
- 6-38 (8) Section 691.009.

6-39 ARTICLE 2. CONFORMING AMENDMENTS

6-40 SECTION 2.01. Article 43.25, Code of Criminal Procedure, is  
 6-41 amended to read as follows:

6-42 Art. 43.25. BODY OF CONVICT. The body of a convict who has  
 6-43 been legally executed shall be embalmed immediately and so directed  
 6-44 by the Director of the correctional institutions division of the  
 6-45 Texas Department of Criminal Justice [Department of Corrections].  
 6-46 If the body is not demanded or requested by a relative or bona fide  
 6-47 friend within forty-eight hours after execution then it shall be  
 6-48 delivered to the Texas Funeral Service Commission [Anatomical Board  
 6-49 of the State of Texas], if requested by the commission [Board]. If  
 6-50 the body is requested by a relative, a bona fide friend, or the  
 6-51 Texas Funeral Service Commission [Anatomical Board of the State of  
 6-52 Texas], such recipient shall pay a fee [of] not to exceed  
 6-53 twenty-five dollars to the mortician for the mortician's [his]  
 6-54 services in embalming the body for which the mortician shall issue  
 6-55 to the recipient a written receipt. When such receipt is delivered  
 6-56 to the Director of the correctional institutions division of the  
 6-57 Texas Department of Criminal Justice [Department of Corrections],  
 6-58 the body of the deceased shall be delivered to the party named in  
 6-59 the receipt or the party's [his] authorized agent. If the body is  
 6-60 not delivered to a relative, a bona fide friend, or the Texas  
 6-61 Funeral Service Commission [Anatomical Board of the State of  
 6-62 Texas], the Director of the correctional institutions division of  
 6-63 the Texas Department of Criminal Justice [Department of  
 6-64 Corrections] shall cause the body to be decently buried, and the fee  
 6-65 for embalming shall be paid by the county in which the indictment  
 6-66 which resulted in conviction was found.

6-67 SECTION 2.02. Section 404.093(b), Government Code, is  
 6-68 amended to read as follows:

6-69 (b) This subchapter does not apply to:

7-1 (1) funds pledged to the payment of bonds, notes, or  
7-2 other debts if the funds are not otherwise required to be deposited  
7-3 in the treasury;  
7-4 (2) funds held in trust or escrow for the benefit of a  
7-5 person or entity other than a state agency;  
7-6 (3) funds set apart out of earnings derived from  
7-7 investment of funds held in trust for others, as administrative  
7-8 expenses of the trustee agency; or  
7-9 (4) funds, grants, donations, and proceeds from funds,  
7-10 grants, and donations, given in trust to the Texas State Library and  
7-11 Archives Commission for the establishment and maintenance of  
7-12 regional historical resource depositories and libraries in  
7-13 accordance with Section 441.154 [~~or~~  
7-14 [~~(5) funds under the management of the~~  
7-15 ~~secretary-treasurer of the Anatomical Board of the State of Texas,~~  
7-16 ~~as provided by Section 691.008, Health and Safety Code].~~  
7-17 SECTION 2.03. Sections 692A.011(a), (b), and (c), Health and  
7-18 Safety Code, are amended to read as follows:  
7-19 (a) An anatomical gift may be made to the following persons  
7-20 named in the document of gift:  
7-21 (1) an organ procurement organization to be used for  
7-22 transplantation, therapy, research, or education;  
7-23 (2) a hospital to be used for research;  
7-24 (3) subject to Subsection (d), an individual  
7-25 designated by the person making the anatomical gift if the  
7-26 individual is the recipient of the part;  
7-27 (4) an eye bank or tissue bank, except that use of a  
7-28 gift of a whole body must be coordinated through the Texas Funeral  
7-29 Service Commission [~~Anatomical Board of the State of Texas~~];  
7-30 (5) a forensic science program at:  
7-31 (A) a general academic teaching institution as  
7-32 defined by Section 61.003, Education Code; or  
7-33 (B) a private or independent institution of  
7-34 higher education as defined by Section 61.003, Education Code;  
7-35 (6) a search and rescue organization or recovery team  
7-36 that is recognized by the Texas Funeral Service Commission  
7-37 [~~Anatomical Board of the State of Texas~~], is exempt from federal  
7-38 taxation under Section 501(c)(3), Internal Revenue Code of 1986,  
7-39 and uses human remains detection canines with the authorization of  
7-40 a local or county law enforcement agency; or  
7-41 (7) the Texas Funeral Service Commission [~~Anatomical~~  
7-42 ~~Board of the State of Texas~~].  
7-43 (b) Except for donations described by Subsections (a)(1)  
7-44 through (6), the Texas Funeral Service Commission [~~Anatomical Board~~  
7-45 ~~of the State of Texas~~] shall be the donee of gifts of bodies or parts  
7-46 of bodies made for the purpose of education or research that are  
7-47 subject to distribution by the commission [~~board~~] under Chapter  
7-48 691.  
7-49 (c) A forensic science program that receives a donation  
7-50 under Subsection (a)(5) must submit a report to the Texas Funeral  
7-51 Service Commission [~~Anatomical Board of the State of Texas~~] on a  
7-52 quarterly basis that lists:  
7-53 (1) the number of bodies or parts of bodies that the  
7-54 program received; and  
7-55 (2) the method in which the program used the bodies or  
7-56 parts of bodies for education or research.  
7-57 ARTICLE 3. TRANSITIONS AND EFFECTIVE DATE  
7-58 SECTION 3.01. (a) The Anatomical Board of the State of Texas  
7-59 is abolished but continues in existence until September 1, 2022,  
7-60 for the sole purpose of transferring obligations, property, rights,  
7-61 powers, and duties to the Texas Funeral Service Commission. The  
7-62 Texas Funeral Service Commission assumes all of the obligations,  
7-63 property, rights, powers, and duties of the Anatomical Board of the  
7-64 State of Texas as they exist immediately before the effective date  
7-65 of this Act. All unexpended and unobligated funds under the  
7-66 management of the secretary-treasurer of the Anatomical Board of  
7-67 the State of Texas, as provided by Section 691.008, Health and  
7-68 Safety Code, as that section existed immediately before the  
7-69 effective date of this Act, are transferred to the general revenue

8-1 fund for the purpose of the Texas Funeral Service Commission  
8-2 administering duties under Chapter 691, Health and Safety Code, as  
8-3 amended by this Act.

8-4 (b) The Anatomical Board of the State of Texas and the Texas  
8-5 Funeral Service Commission shall, in consultation with appropriate  
8-6 state entities, ensure that the transfer of the obligations,  
8-7 property, rights, powers, and duties of the Anatomical Board of the  
8-8 State of Texas to the Texas Funeral Service Commission is completed  
8-9 not later than September 1, 2022.

8-10 (c) All rules of the Anatomical Board of the State of Texas  
8-11 are continued in effect as rules of the Texas Funeral Service  
8-12 Commission until superseded by a rule of the Texas Funeral Service  
8-13 Commission. An authorization issued by the Anatomical Board of the  
8-14 State of Texas is continued in effect as provided by the law in  
8-15 effect immediately before the effective date of this Act. An  
8-16 authorization pending on the effective date of this Act is  
8-17 continued without change in status after the effective date of this  
8-18 Act. A complaint, investigation, or other proceeding pending on the  
8-19 effective date of this Act is continued without change in status  
8-20 after the effective date of this Act.

8-21 (d) Unless the context indicates otherwise, a reference to  
8-22 the Anatomical Board of the State of Texas in a law or  
8-23 administrative rule means the Texas Funeral Service Commission.

8-24 SECTION 3.02. (a) Not later than the 60th day after the  
8-25 effective date of this Act, the Texas Funeral Service Commission  
8-26 shall appoint members to the State Anatomical Advisory Committee in  
8-27 accordance with Section 691.002, Health and Safety Code, as amended  
8-28 by this Act.

8-29 (b) The members of the Anatomical Board of the State of  
8-30 Texas whose terms expire under Section 3.01 of this Act shall  
8-31 continue to provide advice to the Texas Funeral Service Commission  
8-32 until a majority of the members of the State Anatomical Advisory  
8-33 Committee are appointed under Subsection (a) of this section and  
8-34 qualified. A member of the Anatomical Board of the State of Texas  
8-35 described by this subsection may be appointed to the State  
8-36 Anatomical Advisory Committee if the member is otherwise eligible  
8-37 for appointment under Section 691.002, Health and Safety Code, as  
8-38 amended by this Act.

8-39 SECTION 3.03. This Act takes effect September 1, 2021.

8-40

\* \* \* \* \*