

By: Clardy

H.B. No. 1510

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the continuation and transfer of the regulation of
3 willed body programs to the Texas Funeral Service Commission, the
4 regulation of willed body programs, non-transplant anatomical
5 donation organizations, and anatomical facilities, and the
6 creation of the State Anatomical Advisory Committee; requiring
7 registration; authorizing fees; authorizing an administrative
8 penalty.

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

10 ARTICLE 1. STATE ANATOMICAL ADVISORY COMMITTEE; TEXAS FUNERAL
11 SERVICE COMMISSION

12 SECTION 1.01. The heading to Chapter 691, Health and Safety
13 Code, is amended to read as follows:

14 CHAPTER 691. DONATION OF BODIES AND ANATOMICAL SPECIMENS

15 [~~ANATOMICAL BOARD OF THE STATE OF TEXAS~~]

16 SECTION 1.02. The heading to Subchapter A, Chapter 691,
17 Health and Safety Code, is amended to read as follows:

18 SUBCHAPTER A. GENERAL PROVISIONS; STATE [~~ORGANIZATION OF~~]

19 ANATOMICAL ADVISORY COMMITTEE [~~BOARD OF THE STATE OF TEXAS~~]

20 SECTION 1.03. Section 691.001, Health and Safety Code, is
21 amended by amending Subdivision (1) and adding Subdivisions (1-a),
22 (4), (5), and (6) to read as follows:

23 (1) "Advisory committee [~~Board~~]" means the State
24 Anatomical Advisory Committee [~~Board of the State of Texas~~].

1 (1-a) "Anatomical facility" means a facility
2 inspected and approved by the commission under Section 691.034 that
3 does not operate as a willed body program or a non-transplant
4 anatomical donation organization.

5 (4) "Commission" means the Texas Funeral Service
6 Commission.

7 (5) "Non-transplant anatomical donation organization"
8 means a person accredited to engage in the recovery, screening,
9 testing, processing, storage, or distribution of tissue or human
10 remains for any purpose other than transplantation into a living
11 individual in this state.

12 (6) "Willed body program" means a program operated at
13 an institution of higher education in this state that allows a
14 living individual to donate the individual's body or anatomical
15 specimen for educational or research purposes.

16 SECTION 1.04. Section 691.002, Health and Safety Code, is
17 amended to read as follows:

18 Sec. 691.002. ADVISORY COMMITTEE [~~COMPOSITION OF BOARD~~].

19 (a) The State Anatomical Advisory Committee is established to
20 advise and provide expertise to the commission on matters related
21 to the regulation and operation of willed body programs,
22 non-transplant anatomical donation organizations, and anatomical
23 facilities in this state.

24 (b) The advisory committee is composed of seven members
25 appointed by the commission as follows:

26 (1) two members who represent institutions of higher
27 education that operate willed body programs;

1 (2) two members who represent non-transplant
2 anatomical donation organizations;

3 (3) two members who represent anatomical facilities;
4 and

5 (4) one public member [~~The Anatomical Board of the~~
6 ~~State of Texas is composed of one representative from each school or~~
7 ~~college of chiropractic, osteopathy, medicine, or dentistry~~
8 ~~incorporated in this state].~~

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

15 (d) An advisory committee member may be reappointed.

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

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

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

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

1 SECTION 1.06. Section 691.008(a), Health and Safety Code,
2 is redesignated as Section 691.012, Health and Safety Code, and
3 amended to read as follows:

4 Sec. 691.012. FEES. (a) The commission [~~board~~] may set and
5 collect reasonable and necessary fees for the cost of administering
6 this chapter, including:

7 (1) receiving and distributing bodies and anatomical
8 specimens; and

9 (2) conducting inspections of willed body programs and
10 anatomical facilities.

11 (b) The commission by rule may establish fees for the
12 registration of willed body programs and non-transplant anatomical
13 donation organizations in amounts reasonable and necessary to cover
14 the cost of administering this chapter.

15 (c) A non-transplant anatomical donation organization is
16 exempt from a fee described by Subsection (a)(1).

17 SECTION 1.07. Section 691.010, Health and Safety Code, is
18 amended to read as follows:

19 Sec. 691.010. PUBLIC INFORMATION AND PARTICIPATION;
20 COMPLAINTS. (a) The commission [~~board~~] shall prepare information
21 of public interest describing the functions of the commission under
22 this chapter [~~board~~] and the commission's [~~board's~~] procedures by
23 which complaints are filed with and resolved by the commission
24 [~~board~~]. The commission [~~board~~] shall make the information
25 available to the public and appropriate state agencies.

26 (b) The commission [~~board~~] by rule shall establish methods
27 by which service recipients can be notified of the name, mailing

1 address, and telephone number of the commission [~~board~~] for the
2 purpose of directing complaints to the commission [~~board~~]. The
3 commission [~~board~~] may provide for that notification by including
4 the information on each written contract relating to bodies willed
5 or donated to an entity regulated by the commission [~~board~~] or
6 authorized by the commission [~~board~~] to receive bodies.

7 (c) The commission [~~board~~] shall keep an information file
8 about each complaint filed with the commission [~~board~~] relating to
9 its functions under this chapter. If a written complaint is filed
10 with the commission [~~board~~] relating to a person or an entity
11 regulated by the commission under this chapter [~~board~~], the
12 commission [~~board, at least as frequently as quarterly and until~~
13 ~~final disposition of the complaint,~~] shall periodically notify the
14 parties to the complaint of the status of the complaint until final
15 disposition unless notice would jeopardize an undercover
16 investigation.

17 (d) The commission [~~board~~] shall develop and implement
18 policies that provide the public with a reasonable opportunity to
19 appear before the commission [~~board~~] and to speak on any issue under
20 the jurisdiction of the commission [~~board~~].

21 SECTION 1.08. Section 691.022, Health and Safety Code, is
22 amended to read as follows:

23 Sec. 691.022. GENERAL DUTIES. (a) The commission [~~board~~]
24 shall distribute bodies and anatomical specimens to [~~institutions~~
25 ~~and other~~] persons authorized to receive a body or specimen under
26 this chapter [~~them~~].

27 (b) The commission [~~board~~] shall adopt rules to ensure that

1 each body and anatomical specimen is treated with respect while in
2 the custody of the commission [~~board~~] or person authorized to
3 receive the body or specimen [~~an institution represented on the~~
4 ~~board is treated with respect~~].

5 (c) The commission shall adopt rules, establish procedures,
6 and prescribe forms necessary to administer and enforce this
7 chapter, including rules establishing registration and inspection
8 requirements and procedures. The commission may issue a reprimand,
9 assess an administrative penalty, impose other penalties, or
10 revoke, suspend, or probate a registration or other authorization
11 for a violation of this chapter or a commission rule adopted under
12 this chapter, including a violation related to an inspection
13 conducted under Section 691.034, in the manner provided by Chapter
14 651, Occupations Code.

15 SECTION 1.09. Section 691.0225, Health and Safety Code, is
16 amended to read as follows:

17 Sec. 691.0225. INFORMATIONAL DOCUMENT. The commission
18 [~~board~~] shall develop a document to inform a person making a gift of
19 a decedent's body or anatomical specimen for purposes of education,
20 including forensic science education, or research of the risks and
21 benefits associated with donation. The commission [~~board~~] shall
22 make the document available on the commission's [~~board's~~] Internet
23 website.

24 SECTION 1.10. Section 691.023, Health and Safety Code, is
25 amended to read as follows:

26 Sec. 691.023. DUTY TO DELIVER CERTAIN BODIES TO COMMISSION
27 [~~BOARD~~]. (a) An officer, employee, or representative of the state,

1 of a political subdivision, or of an institution having charge or
2 control of a body not claimed for burial or a body required to be
3 buried at public expense shall:

4 (1) notify the commission [~~board~~] or the commission's
5 [~~board's~~] representative of the body's existence when the body
6 comes into the person's possession, charge, or control if notified
7 in writing to do so by the commission [~~board~~] or the commission's
8 [~~board's~~] representative;

9 (2) deliver the body in accordance with the direction
10 of the commission [~~board~~]; and

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

15 (b) If the commission [~~board~~] does not require a political
16 subdivision or agency of the political subdivision to deliver a
17 body under this section, the political subdivision shall pay all
18 costs of preparation for burial, including costs of embalming.

19 SECTION 1.11. Section 691.025(c), Health and Safety Code,
20 is amended to read as follows:

21 (c) A body that is not claimed for burial within 48 hours
22 after a relative receives notification shall be delivered as soon
23 as possible to the commission [~~board~~] or the commission's [~~board's~~]
24 representative.

25 SECTION 1.12. Section 691.026, Health and Safety Code, is
26 amended to read as follows:

27 Sec. 691.026. BODY OF TRAVELER. If an unclaimed body is the

1 body of a traveler who died suddenly, the commission [~~board~~] shall
2 direct the institution or other person receiving the body to retain
3 the body for six months for purposes of identification.

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

6 Sec. 691.027. AUTOPSY. Only the commission [~~board~~] may
7 grant permission to perform an autopsy on an unclaimed body. The
8 commission [~~board~~] may grant permission after receiving a specific
9 request for an autopsy that shows sufficient evidence of medical
10 urgency.

11 SECTION 1.14. Sections 691.028(a) and (b), Health and
12 Safety Code, are amended to read as follows:

13 (a) An adult living in this state who is of sound mind may
14 donate the adult's body by will or other written instrument to the
15 commission [~~board~~], a willed body program of a medical or dental
16 school, a non-transplant anatomical donation organization, or
17 another donee authorized by the commission [~~board~~] to be used for
18 the advancement of medical or forensic science.

19 (b) To be effective, the donor must provide informed consent
20 by signing [~~sign~~] the will or other written instrument and it must
21 be witnessed by two adults. The donor is not required to use a
22 particular form or particular words in making the donation, but the
23 will or other instrument must clearly convey:

- 24 (1) the donor's intent; and
25 (2) the donor's acknowledgment that the donor was
26 informed about the consequences of the donation before providing
27 consent.

1 SECTION 1.15. Section 691.029, Health and Safety Code, is
2 amended to read as follows:

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

8 SECTION 1.16. Section 691.030, Health and Safety Code, is
9 amended to read as follows:

10 Sec. 691.030. COMMISSION'S [~~BOARD'S~~] AUTHORITY TO
11 DISTRIBUTE BODIES AND ANATOMICAL SPECIMENS. (a) The commission
12 [~~board~~] or the commission's [~~board's~~] representative shall
13 distribute bodies donated to it and may redistribute bodies donated
14 to medical or dental schools or other donees authorized by the
15 commission [~~board~~] to:

16 (1) willed body programs of schools and colleges of
17 chiropractic, osteopathy, medicine, or dentistry incorporated in
18 this state;

19 (2) forensic science programs;

20 (3) search and rescue organizations or recovery teams
21 that are recognized by the commission [~~board~~], are exempt from
22 federal taxation under Section 501(c)(3), Internal Revenue Code of
23 1986, and use human remains detection canines with the
24 authorization of a local or county law enforcement agency;

25 (4) physicians; [~~and~~]

26 (5) anatomical facilities; and

27 (6) other persons as provided by this section.

1 (b) In making the distribution, the commission [~~board~~]
2 shall give priority to the schools and colleges that need bodies for
3 lectures and demonstrations.

4 (c) If the commission [~~board~~] has remaining bodies, the
5 commission [~~board~~] or the commission's [~~board's~~] representative
6 shall distribute or redistribute those bodies to the schools and
7 colleges proportionately and equitably according to the number of
8 students in each school or college receiving instruction or
9 demonstration in normal or morbid anatomy and operative surgery.
10 The dean of each school or college shall certify that number to the
11 commission [~~board~~] when required by the commission [~~board~~].

12 (d) The commission [~~board~~] may transport a body or
13 anatomical specimen to an authorized recipient in another state if
14 the commission [~~board~~] determines that the supply of bodies or
15 anatomical specimens in this state exceeds the need for bodies or
16 anatomical specimens in this state and if:

17 (1) the deceased donated the deceased's [~~his~~] body in
18 compliance with Section 691.028 and at the time of the donation
19 authorized the commission [~~board~~] to transport the body outside
20 this state; or

21 (2) the body was donated in compliance with Chapter
22 692A and the person authorized to make the donation under Section
23 692A.009 authorized the commission [~~board~~] to transport the body
24 outside this state.

25 (e) This section does not apply to a body donated to a
26 registered non-transplant anatomical donation organization.

27 SECTION 1.17. Sections 691.031(a), (b), and (f), Health and

1 Safety Code, are amended to read as follows:

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

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

6 (2) a label with the statement "CONTENTS DERIVED FROM
7 DONATED HUMAN TISSUE" is affixed to the container in which the body
8 or anatomical specimen is transported; and

9 (3) each person who has control or possession of a body
10 or anatomical specimen:

11 (A) satisfactorily completes the information
12 required on a chain-of-custody form prescribed by the commission
13 [~~board~~];

14 (B) maintains a copy of the form for the person's
15 records; and

16 (C) transfers the form to any other person to
17 whom control or possession of the body or anatomical specimen is
18 transferred.

19 (b) The commission [~~board~~] may employ a public carrier to
20 transport bodies or anatomical specimens received or distributed by
21 the commission [~~board~~].

22 (f) The sender and receiver of each body or anatomical
23 specimen shall file the records required under this section in
24 accordance with commission [~~board~~] rules so that the commission
25 [~~board~~] or a district or county attorney may inspect the records at
26 any time.

27 SECTION 1.18. Section [691.032](#), Health and Safety Code, is

1 amended to read as follows:

2 Sec. 691.032. COSTS OF DISTRIBUTION. A person or
3 institution receiving a body or anatomical specimen under this
4 chapter shall pay in a manner specified by the commission [~~board~~],
5 or as otherwise agreed on, all costs incurred in distributing the
6 body or anatomical specimen so that the state, a county, a
7 municipality, or an officer, employee, or representative of the
8 state, a county, or a municipality does not incur any expense.

9 SECTION 1.19. Sections 691.033(a), (b), and (d), Health and
10 Safety Code, are amended to read as follows:

11 (a) To further medical or forensic science, a willed body
12 program, non-transplant anatomical donation organization,
13 anatomical facility, [school, college,] or other person designated
14 by the commission [~~board~~] may use, dissect, operate on, examine,
15 and experiment on a body or anatomical specimen distributed under
16 this chapter.

17 (b) A willed body program, non-transplant anatomical
18 donation organization, [school, college,] or other person shall
19 keep a permanent record of each body or anatomical specimen
20 received from the commission [~~board~~] or the commission's [~~board's~~]
21 representative. The record:

22 (1) must be sufficient to identify the body or
23 anatomical specimen;

24 (2) must track the body or anatomical specimen from
25 intake to final disposition; and

26 (3) may be inspected by the commission [~~board~~] or the
27 commission's [~~board's~~] representative.

1 (d) To aid prosecutions under Section 42.08, Penal Code, the
2 commission [~~board~~] shall adopt rules that clearly state the
3 activities that are authorized by the commission [~~board~~] in
4 relation to the use or dissection of a body.

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

7 Sec. 691.034. REGULATION AND REGISTRATION OF PERSONS AND
8 INSTITUTIONS USING BODIES AND ANATOMICAL SPECIMENS. (a) A willed
9 body program or non-transplant anatomical donation organization
10 may not operate in this state unless the program or organization
11 registers with the commission in the form and manner prescribed by
12 the commission.

13 (a-1) To be eligible for registration under this section, a
14 non-transplant anatomical donation organization must be accredited
15 by the American Association of Tissue Banks under the association's
16 Standards for Non-Transplant Anatomical Donation.

17 (a-2) The commission [~~board~~] shall inspect and may approve
18 willed body programs, anatomical facilities, [~~institutions~~] and
19 other persons for the receipt and use of bodies and anatomical
20 specimens under this chapter.

21 (a-3) A registered non-transplant anatomical donation
22 organization is exempt from an inspection described by Subsection
23 (a-2).

24 (b) The commission [~~board~~] may investigate a willed body
25 program, non-transplant anatomical donation organization,
26 anatomical facility, or other person [~~or institution~~] if the
27 commission [~~board~~] has reason to believe that the program,

1 organization, facility, or person [~~or institution~~] has improperly
2 used a body or anatomical specimen.

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

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

19 (e) A registered non-transplant anatomical donation
20 organization must inform the commission within the time prescribed
21 by commission rule if the organization loses its accreditation with
22 the American Association of Tissue Banks.

23 (f) A commission member or holder of any license issued by
24 the commission may not hold more than a 10 percent ownership
25 interest in a registered non-transplant anatomical donation
26 organization.

27 (g) The commission shall adopt rules and procedures

1 necessary to administer this section.

2 SECTION 1.21. Subchapter A, Chapter 651, Occupations Code,
3 is amended by adding Section 651.005 to read as follows:

4 Sec. 651.005. REGULATION OF WILLED BODY PROGRAMS,
5 NON-TRANSPLANT ANATOMICAL DONATION ORGANIZATIONS, AND ANATOMICAL
6 FACILITIES. The commission shall regulate willed body programs,
7 non-transplant anatomical donation organizations, and anatomical
8 facilities as provided by Chapter 691, Health and Safety Code, and
9 in accordance with the powers and duties granted by this chapter to
10 the extent necessary to regulate the programs, organizations, and
11 facilities under that chapter.

12 SECTION 1.22. The following provisions of the Health and
13 Safety Code are repealed:

- 14 (1) Section 691.003;
- 15 (2) Section 691.004;
- 16 (3) Section 691.005;
- 17 (4) Section 691.006;
- 18 (5) Sections 691.007(a), (b), and (d);
- 19 (6) Sections 691.008(b) and (d);
- 20 (7) the headings to Sections 691.007 and 691.008; and
- 21 (8) Section 691.009.

22 ARTICLE 2. CONFORMING AMENDMENTS

23 SECTION 2.01. Article 43.25, Code of Criminal Procedure, is
24 amended to read as follows:

25 Art. 43.25. BODY OF CONVICT. The body of a convict who has
26 been legally executed shall be embalmed immediately and so directed
27 by the Director of the correctional institutions division of the

1 Texas Department of Criminal Justice [~~Department of Corrections~~].
2 If the body is not demanded or requested by a relative or bona fide
3 friend within forty-eight hours after execution then it shall be
4 delivered to the Texas Funeral Service Commission [~~Anatomical Board~~
5 ~~of the State of Texas~~], if requested by the commission [~~Board~~]. If
6 the body is requested by a relative, a bona fide friend, or the
7 Texas Funeral Service Commission [~~Anatomical Board of the State of~~
8 ~~Texas~~], such recipient shall pay a fee [~~of~~] not to exceed
9 twenty-five dollars to the mortician for the mortician's [~~his~~]
10 services in embalming the body for which the mortician shall issue
11 to the recipient a written receipt. When such receipt is delivered
12 to the Director of the correctional institutions division of the
13 Texas Department of Criminal Justice [~~Department of Corrections~~],
14 the body of the deceased shall be delivered to the party named in
15 the receipt or the party's [~~his~~] authorized agent. If the body is
16 not delivered to a relative, a bona fide friend, or the Texas
17 Funeral Service Commission [~~Anatomical Board of the State of~~
18 ~~Texas~~], the Director of the correctional institutions division of
19 the Texas Department of Criminal Justice [~~Department of~~
20 ~~Corrections~~] shall cause the body to be decently buried, and the fee
21 for embalming shall be paid by the county in which the indictment
22 which resulted in conviction was found.

23 SECTION 2.02. Section 404.093(b), Government Code, is
24 amended to read as follows:

25 (b) This subchapter does not apply to:

26 (1) funds pledged to the payment of bonds, notes, or
27 other debts if the funds are not otherwise required to be deposited

1 in the treasury;

2 (2) funds held in trust or escrow for the benefit of a
3 person or entity other than a state agency;

4 (3) funds set apart out of earnings derived from
5 investment of funds held in trust for others, as administrative
6 expenses of the trustee agency; or

7 (4) funds, grants, donations, and proceeds from funds,
8 grants, and donations, given in trust to the Texas State Library and
9 Archives Commission for the establishment and maintenance of
10 regional historical resource depositories and libraries in
11 accordance with Section 441.154 [~~or~~

12 [~~(5) funds under the management of the~~
13 ~~secretary-treasurer of the Anatomical Board of the State of Texas,~~
14 ~~as provided by Section 691.008, Health and Safety Code].~~

15 SECTION 2.03. Sections 692A.011(a), (b), and (c), Health and
16 Safety Code, are amended to read as follows:

17 (a) An anatomical gift may be made to the following persons
18 named in the document of gift:

19 (1) an organ procurement organization to be used for
20 transplantation, therapy, research, or education;

21 (2) a hospital to be used for research;

22 (3) subject to Subsection (d), an individual
23 designated by the person making the anatomical gift if the
24 individual is the recipient of the part;

25 (4) an eye bank or tissue bank, except that use of a
26 gift of a whole body must be coordinated through the Texas Funeral
27 Service Commission [~~Anatomical Board of the State of Texas~~];

1 (5) a forensic science program at:

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

4 (B) a private or independent institution of
5 higher education as defined by Section 61.003, Education Code;

6 (6) a search and rescue organization or recovery team
7 that is recognized by the Texas Funeral Service Commission
8 [~~Anatomical Board of the State of Texas~~], is exempt from federal
9 taxation under Section 501(c)(3), Internal Revenue Code of 1986,
10 and uses human remains detection canines with the authorization of
11 a local or county law enforcement agency; or

12 (7) the Texas Funeral Service Commission [~~Anatomical~~
13 ~~Board of the State of Texas~~].

14 (b) Except for donations described by Subsections (a)(1)
15 through (6), the Texas Funeral Service Commission [~~Anatomical Board~~
16 ~~of the State of Texas~~] shall be the donee of gifts of bodies or parts
17 of bodies made for the purpose of education or research that are
18 subject to distribution by the commission [~~board~~] under Chapter
19 691.

20 (c) A forensic science program that receives a donation
21 under Subsection (a)(5) must submit a report to the Texas Funeral
22 Service Commission [~~Anatomical Board of the State of Texas~~] on a
23 quarterly basis that lists:

24 (1) the number of bodies or parts of bodies that the
25 program received; and

26 (2) the method in which the program used the bodies or
27 parts of bodies for education or research.

1 ARTICLE 3. TRANSITIONS AND EFFECTIVE DATE

2 SECTION 3.01. (a) The Anatomical Board of the State of Texas
3 is abolished but continues in existence until September 1, 2024,
4 for the sole purpose of transferring obligations, property, rights,
5 powers, and duties to the Texas Funeral Service Commission. The
6 Texas Funeral Service Commission assumes all of the obligations,
7 property, rights, powers, and duties of the Anatomical Board of the
8 State of Texas as they exist immediately before the effective date
9 of this Act. All unexpended and unobligated funds under the
10 management of the secretary-treasurer of the Anatomical Board of
11 the State of Texas, as provided by Section 691.008, Health and
12 Safety Code, as that section existed immediately before the
13 effective date of this Act, are transferred to the general revenue
14 fund for the purpose of the Texas Funeral Service Commission
15 administering duties under Chapter 691, Health and Safety Code, as
16 amended by this Act.

17 (b) The Anatomical Board of the State of Texas and the Texas
18 Funeral Service Commission shall, in consultation with appropriate
19 state entities, ensure that the transfer of the obligations,
20 property, rights, powers, and duties of the Anatomical Board of the
21 State of Texas to the Texas Funeral Service Commission is completed
22 not later than September 1, 2024.

23 (c) All rules of the Anatomical Board of the State of Texas
24 are continued in effect as rules of the Texas Funeral Service
25 Commission until superseded by a rule of the Texas Funeral Service
26 Commission. An authorization issued by the Anatomical Board of the
27 State of Texas is continued in effect as provided by the law in

1 effect immediately before the effective date of this Act. An
2 authorization pending on the effective date of this Act is
3 continued without change in status after the effective date of this
4 Act. A complaint, investigation, or other proceeding pending on the
5 effective date of this Act is continued without change in status
6 after the effective date of this Act.

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

10 (e) The terms of the members of the Anatomical Board of the
11 State of Texas expire on September 1, 2024.

12 SECTION 3.02. (a) Not later than the 60th day after the
13 effective date of this Act, the Texas Funeral Service Commission
14 shall appoint members to the State Anatomical Advisory Committee in
15 accordance with Section 691.002, Health and Safety Code, as amended
16 by this Act.

17 (b) The members of the Anatomical Board of the State of
18 Texas whose terms expire under Section 3.01 of this Act shall
19 continue to provide advice to the Texas Funeral Service Commission
20 until a majority of the members of the State Anatomical Advisory
21 Committee are appointed under Subsection (a) of this section and
22 qualified. A member of the Anatomical Board of the State of Texas
23 described by this subsection may be appointed to the State
24 Anatomical Advisory Committee if the member is otherwise eligible
25 for appointment under Section 691.002, Health and Safety Code, as
26 amended by this Act.

27 SECTION 3.03. This Act takes effect September 1, 2023.