

By: Guillen

H.B. No. 2342

A BILL TO BE ENTITLED

AN ACT

relating to a limitation on certain civil actions brought against persons licensed by the Texas Funeral Service Commission.

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

SECTION 1. Chapter 651, Occupations Code, is amended by adding Subchapter O to read as follows:

SUBCHAPTER O. CIVIL ACTION AGAINST LICENSE HOLDER

Sec. 651.701. LIMITATION ON BRINGING ACTION FOR NEGLIGENCE INVOLVING FUNERAL SERVICE. (a) A person may not bring an action against a license holder to recover damages for negligence involving a funeral service unless the person is the spouse, adult child, parent, or adult sibling of the deceased person who is the subject of the funeral service.

(b) If a person entitled to bring an action under Subsection (a) is incapacitated or otherwise unable to bring the action, the person's legal guardian may bring the action on the person's behalf.

SECTION 2. Section 651.701, Occupations Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrued before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2023.