

Amend CSSB 2721 (senate committee report) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, line 29), strike "and (4-a)" and substitute ", (4-a), and (4-b)".

(2) In SECTION 1 of the bill, in added Section 691.001(4-a), Health and Safety Code (page 1, line 40), strike "the commission authorizes" and substitute "holds a license issued by the commission authorizing the program, organization, or team".

(3) In SECTION 1 of the bill, immediately following added Section 691.001(4-a), Health and Safety Code (page 1, between lines 41 and 42), insert the following:

(4-b) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

(4) In SECTION 1 of the bill, in amended Section 691.001(6), Health and Safety Code (page 1, line 43), between "education" and "in" insert "or private or independent institution of higher education".

(5) In SECTION 2 of the bill, in amended Section 691.002(b), Health and Safety Code (page 2, line 2), immediately following the period, insert the following:

Advisory committee members must have experience and knowledge in the donation and use of whole bodies and anatomical specimens for education and research.

(6) In SECTION 3 of the bill, immediately following added Section 691.004(a), Health and Safety Code (page 2, between lines 15 and 16), insert the following:

(a-1) Subsection (a) does not apply to a third party solely providing a service, including transportation, at the direction of a licensed donee in accordance with this chapter.

(7) In SECTION 3 of the bill, in added Section 691.004(c), Health and Safety Code (page 2, line 21), strike "\$500" and substitute "\$5,000".

(8) In SECTION 3 of the bill, in added Section 691.004(c), Health and Safety Code (page 2, line 23), immediately following the underlined period of the second sentence, insert "A proceeding to impose an administrative penalty under this subsection is a contested case under Chapter 2001, Government Code.".

(9) In SECTION 5 of the bill, strike added Sections 691.011(b), (c), (d), (e), (f), (g), and (h), Health and Safety Code (page 2, line 51, through page 3, line 25), and substitute the following:

(b) The commission, in consultation with the advisory committee, by rule shall develop a form for a donee to document the donation or transfer of a body or anatomical specimen.

(10) In SECTION 6 of the bill, in amended Section 691.012(a), Health and Safety Code (page 3, line 28), between "commission" and "by", insert ", in consultation with the advisory committee,".

(11) In SECTION 7 of the bill, in amended Section 691.022(c), Health and Safety Code (page 3, lines 60 and 61), between "or" and "revoke," insert "refuse to issue,".

(12) In SECTION 7 of the bill, immediately following amended Section 691.022(c), Health and Safety Code (page 3, between lines 65 and 66), insert the following:

(d) The rules adopted under Subsection (c) must:

(1) require a license applicant to be of good professional character to be eligible for a license under this chapter; and

(2) provide a process for conducting a background check on each license applicant, including a review of the license applicant's criminal history record information.

(e) The commission, in adopting rules under Subsection (c) and in prescribing other necessary guidelines, shall ensure the rules and guidelines comply with Chapter 53, Occupations Code.

(f) A license issued under this chapter is not valid during the pendency of an appeal of a decision to refuse to renew, suspend, or revoke the license.

(13) In SECTION 10 of the bill, in the heading to added Section 691.0235, Health and Safety Code (page 4, line 22), strike "RESEARCH PROJECTS" and substitute "EDUCATION AND RESEARCH".

(14) In SECTION 10 of the bill, in added Section 691.0235(b), Health and Safety Code (page 4, line 28), strike "the" and substitute "a".

(15) In SECTION 10 of the bill, in added Section

691.0235(b), Health and Safety Code (page 4, line 29), strike "a research project" and substitute "education or research".

(16) In SECTION 10 of the bill, in added Section 691.0235(b), Health and Safety Code (page 4, line 38), between "(3)" and "formally", insert "for research use,".

(17) In SECTION 10 of the bill, in added Section 691.0235(c), Health and Safety Code (page 4, line 43), strike "a research project" and substitute "education or research".

(18) In SECTION 13 of the bill, in amended Section 691.028(b-1), Health and Safety Code (page 5, line 20), between "commission" and "by rule", insert ", in consultation with the advisory committee,".

(19) In the recital to SECTION 14 of the bill (page 5, line 28), strike "Sections 691.0281 and 691.0282" and substitute "Section 691.0281".

(20) In SECTION 14 of the bill, in added Section 691.0281(a), Health and Safety Code (page 5, lines 35 and 36), strike "made or refused to make a donation under Section 691.028" and substitute the following:

made a donation under Section 691.028, the donor indicated before death the donor did not want the donor's body donated, or an anatomical gift has been made in accordance with Section 692A.009

(21) In SECTION 14 of the bill, in added Section 691.0281(e), Health and Safety Code (page 6, line 10), between "commission" and "by rule", insert ", in consultation with the advisory committee,".

(22) In SECTION 14 of the bill, strike added Section 691.0282, Health and Safety Code (page 6, lines 24 through 31).

(23) In SECTION 16 of the bill, strike the recital amending Section 691.030, Health and Safety Code (page 6, lines 37 and 38), and substitute the following:

SECTION 16. Section 691.030(a), Health and Safety Code, is amended to read as follows:

(24) In SECTION 16 of the bill, strike amended Section 691.030(c), Health and Safety Code (page 6, line 61, through page 7, line 4).

(25) In SECTION 17 of the bill, in added Section

691.031(a-1), Health and Safety Code (page 7, line 7), between "commission" and "shall", insert "in consultation with the advisory committee".

(26) In SECTION 20 of the bill, in amended Section 691.034(a-1), Health and Safety Code (page 8, line 3), strike "shall license donees [~~inspect~~" and substitute "may license donees [~~shall inspect~~".

(27) In SECTION 20 of the bill, in amended Section 691.034(a-1), Health and Safety Code (page 8, line 10), immediately following the underlined period, insert the following:

The commission may conduct unannounced inspections of donees and anatomical facilities.

(28) In SECTION 20 of the bill, strike amended Sections 691.034(d) and (e) and proposed Section 691.034(f), Health and Safety Code (page 8, line 41, through page 9, line 2), and insert the following:

(d) The commission may refuse to issue a license or refuse to grant other authorization to receive and use or dissect bodies or anatomical specimens if the commission determines the applicant for the license or other authorization improperly used a body or anatomical specimen in violation of this chapter or failed to meet any eligibility requirements established under a rule adopted under this chapter [~~A willed body program, non-transplant anatomical donation organization, anatomical facility, or other person is entitled to a hearing before the commission or a hearing examiner appointed by the commission before the commission may revoke the program's, organization's, facility's, or person's registration or other authorization to receive and use or dissect bodies or anatomical specimens. The commission shall make all final decisions to suspend or revoke an authorization]~~.

(e) A license or other authorization to receive and use or dissect bodies or anatomical specimens is not valid during the pendency of an appeal of a decision to refuse to renew, suspend, or revoke the license or other authorization under Subsection (c) [~~A registered non-transplant anatomical donation organization must inform the commission within the time prescribed by commission rule if the organization loses its accreditation with the American~~

~~Association of Tissue Banks]~~.

(f) In consultation with the advisory committee, the commission shall review and approve applications for persons located in other states to receive whole bodies, anatomical specimens, or non-transplant anatomical parts from individuals in this state. The commission may withdraw the commission's approval of a person in another state who applies for approval under this section. A person applying for approval under this section must:

(1) be listed in Section 691.030(a);

(2) provide proof of accreditation by the applicable accrediting body; and

(3) submit to inspection by the commission or by a local designee of the commission at the cost of the person [A commission member or holder of any license issued by the commission may not hold an ownership interest in a registered non-transplant anatomical donation organization].

(29) In SECTION 31 of the bill, strike Subdivision (4) of the repealer (page 11, line 57), and substitute the following:

(4) Sections 691.030(b), (c), (d), and (e); and

(30) Add the following appropriately numbered SECTION to the bill and renumber the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 411.12507(a), Government Code, is amended to read as follows:

(a) The Texas Funeral Service Commission is entitled to obtain criminal history record information as provided by Subsection (b) that relates to:

(1) a person who is:

(A) an applicant for a license or certificate under Sections 651.259 and 651.302, Occupations Code; or

(B) the holder of a license or certificate under Chapter 651, Occupations Code;

(2) an applicant for a license or a license holder under Chapter 691 or 692A, Health and Safety Code, or Chapter 651, Occupations Code;

(3) an applicant for employment at or current employee of the Texas Funeral Service Commission; or

(4) a person authorized to access vital records or the

vital records electronic registration system under Chapter 191,  
Health and Safety Code, or a funeral director.