**BILL ANALYSIS**

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| Senate Research Center | H.B. 4490 |
|  | By: Smithee (Bettencourt) |
|  | Business & Commerce |
|  | 5/13/2025 |
|  | Engrossed |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

County medical examiner's offices have raised concerns about increasing trends in public information requestors seeking disclosure of next of kin information, including the names, addresses, relationships, and phone numbers for next of kin individuals. Medical examiner's offices have noticed that the requestors are marketing firms, which sell the case-related information to third parties, who contact family members regarding the death of a family member.

County medical examiners make a good-faith effort to locate next of kin descendants to ensure loved ones are kept apprised of the autopsy process and so bodies can be released to the correct party for burial. Medical examiners have raised concerns that family members may be unaware that their contact information can be shared with third parties, and that third parties may contact decedents to offer funeral services before a descendant is notified of their family member's death.

H.B. 4490 seeks to alleviate these privacy concerns by exempting next of kin information from public disclosure under the Public Information Act.

H.B. 4490 amends current law relating to an exemption from required disclosure of information related to the next of kin of deceased persons.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 11, Article 49.25, Code of Criminal Procedure, by adding Subsection (d) to provide that the information relating to the next of kin of a decedent is excepted from required public disclosure in accordance with Chapter 552 (Public Information), Government Code, but is subject to disclosure under subpoena or authority of other law.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2025.