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| BILL ANALYSIS |

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| H.B. 4490 |
| By: Smithee |
| Public Health |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE**  The bill author has informed the committee that a county medical examiner's office plays a critical role in locating next of kin to ensure proper communication about autopsy processes and the release of remains for burial and to assist with providing medical history information in death investigations; however, in recent years such offices have received requests for next of kin data, such as names, relationships, addresses, and phone numbers, under state public information law from marketing firms who then sell this information to third parties. The bill author has further informed the committee that some families who are aware of this are deterred from cooperating with the medical examiner's office, ultimately hampering investigations and delaying processes. H.B. 4490 seeks to protect families' privacy and ensure that information may still be disclosed for legitimate purposes, such as law enforcement, by establishing that the disclosure of information relating to the next of kin of a decedent is excepted from state public information law but otherwise permitted for certain purposes. |
| **CRIMINAL JUSTICE IMPACT**  It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY**  It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution. |
| **ANALYSIS**  H.B. 4490 amends the Code of Criminal Procedure to establish that information relating to the next of kin of a decedent is excepted from required public disclosure in accordance with state public information law but is subject to disclosure under subpoena or authority of other law. The bill applies to a request for information that is received by a governmental body or an officer of public information on or after the bill's effective date. A request for information that was received before the bill's effective date is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose. |
| **EFFECTIVE DATE**  On passage, or, if the bill does not receive the necessary vote, September 1, 2025. |