

1-1 By: Lambert, et al. (Senate Sponsor - Zaffirini) H.B. No. 1094  
1-2 (In the Senate - Received from the House April 10, 2025;  
1-3 April 14, 2025, read first time and referred to Committee on  
1-4 Business & Commerce; May 25, 2025, reported favorably by the  
1-5 following vote: Yeas 11, Nays 0; May 25, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Schwertner	X		
1-9	King	X		
1-10	Blanco	X		
1-11	Campbell	X		
1-12	Creighton	X		
1-13	Johnson	X		
1-14	Kolkhorst	X		
1-15	Menéndez	X		
1-16	Middleton	X		
1-17	Nichols	X		
1-18	Zaffirini	X		

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to the regulation of transportation protection  
1-22 agreements.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 154.002, Finance Code, is amended by  
1-25 amending Subdivisions (9) and (13) and adding Subdivision (15) to  
1-26 read as follows:

1-27 (9) "Prepaid funeral benefits" means prearranged or  
1-28 prepaid funeral or cemetery services or funeral merchandise,  
1-29 including an alternative container, casket, or outer burial  
1-30 container. The term does not include:

1-31 (A) a grave, marker, monument, tombstone, crypt,  
1-32 niche, plot, or lawn crypt unless it is sold in contemplation of  
1-33 trade for a funeral service or funeral merchandise to which this  
1-34 chapter applies; or

1-35 (B) a transportation protection agreement.

1-36 (13) "Funeral service" or "service":

1-37 (A) means a service sold or offered for sale on a  
1-38 preneed basis that may be used to:

1-39 (i) ~~[(A)]~~ care for and prepare a deceased  
1-40 human body for burial, cremation, or other final disposition; and

1-41 (ii) ~~[(B)]~~ arrange, supervise, or conduct a  
1-42 funeral ceremony or the final disposition of a deceased human body;  
1-43 and

1-44 (B) does not include a service provided under a  
1-45 transportation protection agreement.

1-46 (15) "Transportation protection agreement" has the  
1-47 meaning assigned by Section 101.056, Insurance Code.

1-48 SECTION 2. Subchapter B, Chapter 101, Insurance Code, is  
1-49 amended by adding Section 101.056 to read as follows:

1-50 Sec. 101.056. TRANSPORTATION PROTECTION AGREEMENTS;  
1-51 EXEMPTION FROM INSURANCE LAW. (a) In this section:

1-52 (1) "Seller" has the meaning assigned by Section  
1-53 154.002, Finance Code.

1-54 (2) "Transportation protection agreement" means an  
1-55 agreement to pay for transportation of a deceased human body from  
1-56 the place of death to a licensed holding facility or licensed  
1-57 crematory, if the place of death is more than 75 miles from the  
1-58 location of the licensed facility that will provide the funeral  
1-59 services.

1-60 (b) A transportation protection agreement sold by a seller:

1-61 (1) does not constitute the business of insurance in

2-1 this state; and  
2-2 (2) is otherwise exempt from the requirements of this  
2-3 code.  
2-4 SECTION 3. This Act takes effect September 1, 2025.

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