

1-1 By: Perry S.B. No. 988  
 1-2 (In the Senate - Filed March 5, 2015; March 10, 2015, read  
 1-3 first time and referred to Committee on Business and Commerce;  
 1-4 April 20, 2015, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 20, 2015,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 988 By: Creighton

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

1-21 relating to the prohibited disposition of a decedent's remains by a  
 1-22 person charged with certain criminal conduct against the decedent;  
 1-23 providing an administrative penalty.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. This Act may be cited as the Holly Combs Act.

1-26 SECTION 2. Section 711.002(1), Health and Safety Code, is  
 1-27 amended to read as follows:

1-28 (1) A person listed in Subsection (a) may not control the  
 1-29 disposition of the decedent's remains if, in connection with the  
 1-30 decedent's death, an indictment has been filed charging the person  
 1-31 with a crime under Chapter 19, Penal Code, that involves family  
 1-32 violence against the decedent. A person regulated under Chapter  
 1-33 651, Occupations Code, who knowingly allows the person charged with  
 1-34 a crime to control the disposition of the decedent's remains in  
 1-35 violation of this subsection commits a prohibited practice under  
 1-36 Section 651.460, Occupations Code, and the Texas Funeral Service  
 1-37 Commission may take disciplinary action or assess an administrative  
 1-38 penalty against the regulated person under that chapter.

1-39 SECTION 3. Section 651.460(a), Occupations Code, is amended  
 1-40 to read as follows:

1-41 (a) A person violates this chapter if the person:

1-42 (1) arranges for funeral services or merchandise and  
 1-43 fails to provide a customer with a purchase agreement as required by  
 1-44 Section 651.406;

1-45 (2) fails to retain and make available to the  
 1-46 commission, on request, copies of all price lists, written notices,  
 1-47 embalming documents, and memoranda of agreement required by this  
 1-48 chapter for two years after the date of distribution or signing;

1-49 (3) violates this chapter, a rule adopted under this  
 1-50 chapter, an order by the commission revoking, suspending, or  
 1-51 probating a license, an order assessing an administrative penalty,  
 1-52 or an agreement to pay an administrative penalty;

1-53 (4) allows the use of a dead human body by an embalming  
 1-54 establishment for research or educational purposes without  
 1-55 complying with Section 651.407; ~~or~~

1-56 (5) is associated with a funeral establishment,  
 1-57 whether as an employee, agent, subcontractor, assignee, owner, or  
 1-58 otherwise, and fails to comply with this chapter or a rule adopted  
 1-59 under this chapter; or

1-60 (6) knowingly violates Section 711.002(1), Health and

2-1 Safety Code.

2-2 SECTION 4. This Act takes effect immediately if it receives  
2-3 a vote of two-thirds of all the members elected to each house, as  
2-4 provided by Section 39, Article III, Texas Constitution. If this  
2-5 Act does not receive the vote necessary for immediate effect, this  
2-6 Act takes effect September 1, 2015.

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