

BILL ANALYSIS

Senate Research Center

H.B. 2255
By: Swinford (Duncan)
Administration
5/11/1999
Engrossed

DIGEST

Currently, funeral homes are regulated by the Texas Funeral Service Commission. However, cemeteries and funeral product supplies are not regulated. While funeral homes must disclose material, workmanship, and structural integrity of caskets, discount suppliers do not operate under such requirements. Because of this discrepancy, discount casket suppliers and cemeteries can sell caskets to the public without full disclosure of prices or quality, while funeral homes offering the same products must have a price listing of all available caskets, keep at least five caskets on display, and include the three least expensive models in the display. H.B. 2255 would bring the entire funeral industry under the same codes and licensing authority, and would require the least expensive casket to be displayed in the same manner as the majority of the other caskets.

PURPOSE

As proposed, H.B. 2255 expands certain regulations of the sale of certain items used in funerals.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Funeral Services Commission in SECTION 2 (Section 4(K), Article 4585b, V.T.C.S.) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subsection C, Section 4, Article 4582b, V.T.C.S., to require each funeral establishment to have a physical plant, equipment, and personnel consisting of a display containing sufficient merchandise to permit reasonable selection, including five or more adult caskets, two of which must be full-size, with the least expensive casket being a full-size casket displayed in the same general manner as certain other full-sized caskets. Deletes text requiring the caskets offered for sale to be visibly displayed.

SECTION 2. Amends Section 4, Article 4582b, V.T.C.S., by adding Subsection K, to provide that a person or business that sells funeral merchandise or caskets to the public to be subject to the provisions of this section relating to the sale to the public of funeral merchandise or caskets. Requires the Texas Funeral Service Commission to adopt rules as necessary to implement the subsection.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.