

By: _____

No. _____

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the order of persons who may consent to remove a
3 decedent's remains interred in a cemetery from a plot in the
4 cemetery .

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 711.004(a), Health and Safety Code, is
7 amended to read as follows:

8 (a) Remains interred in a cemetery may be removed from a
9 plot in the cemetery with the written consent of the cemetery
10 organization operating the cemetery and the written consent of the
11 current plot owner or owners and the following persons, in the
12 priority listed:

13 (1) the person designated in a written instrument
14 described in Sec. 711.002(a)(1);

15 (2) the decedent's surviving spouse;

16 (3) any one of the decedent's surviving adult children;

17 (4) any one of the decedent's surviving parents;

18 (5) any one of the decedent's surviving adult siblings;

19 ~~or~~

20 (6) the duly qualified executor or administrator of the
21 decedent's estate; or

1 (57) the adult person in the next degree of kinship in
2 the order named by law to inherit the estate of the decedent.

3 SECTION 2. This Act takes effect September 1, 2021.