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AN ACT

relating to the requirements for a funeral establishment license.

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

SECTION 1. Section 651.351, Occupations Code, is amended by amending Subsection (d) and adding Subsection (i) to read as follows:

(d) A funeral establishment must:

(1) meet the building, fire safety, and health standards and health ordinances of this state and of the municipality in which the establishment is located;

(2) except as provided by Subsection (i), be located at a fixed place that is not tax-exempt property or a cemetery;

(3) include facilities in which funeral services may be conducted;

(4) have access to rolling stock consisting of at least one motor hearse;

(5) include a preparation room containing the facilities, equipment, and supplies required by commission rule to ensure the provision of adequate embalming services;

(6) include other facilities as necessary to comply with the sanitary codes of this state and of the municipality in which the room is located; and

(7) include a display containing sufficient merchandise to permit reasonable selection, including at least five

1 adult caskets, two of which must be full-size.

2 (i) Subsection (d)(2) does not apply to a funeral
3 establishment that is:

4 (1) located on the real property of a public junior
5 college; and

6 (2) operated in connection with an accredited
7 educational program in funeral services offered by the public
8 junior college.

9 SECTION 2. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2009.

Rand Newkirk
President of the Senate

Jim Strawn
Speaker of the House

I hereby certify that S.B. No. 755 passed the Senate on April 16, 2009, by the following vote: Yeas 31, Nays 0.

Patsy Saw
Secretary of the Senate

I hereby certify that S.B. No. 755 passed the House on May 26, 2009, by the following vote: Yeas 146, Nays 0, two present not voting.

Robert Haney
Chief Clerk of the House

Approved:

19 JUN '09
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK

JUN 19 2009

Colby Shuter III