

1 AN ACT

2 relating to persons authorized to control the disposition of the
3 remains of certain members of the United States armed forces.

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

5 SECTION 1. Section 711.002, Health and Safety Code, is
6 amended by adding Subsection (a-1) to read as follows:

7 (a-1) If a United States Department of Defense Record of
8 Emergency Data, DD Form 93, or a successor form, was in effect at
9 the time of death for a decedent who died in a manner described by 10
10 U.S.C. Sections 1481(a)(1) through (8), the DD Form 93 controls
11 over any other written instrument described by Subsection (a)(1) or
12 (g) with respect to designating a person to control the disposition
13 of the decedent's remains. Notwithstanding Subsections (b) and (c),
14 the form is legally sufficient if it is properly completed, signed
15 by the decedent, and witnessed in the manner required by the form.

16 SECTION 2. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2011.

David Dewhurst

President of the Senate

Joe Straus
Speaker of the House

I certify that H.B. No. 74 was passed by the House on March 30, 2011, by the following vote: Yeas 146, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 74 on April 26, 2011, by the following vote: Yeas 145, Nays 0, 1 present, not voting.

Robert Nancy
Chief Clerk of the House

I certify that H.B. No. 74 was passed by the Senate, with amendments, on April 21, 2011, by the following vote: Yeas 31, Nays 0.

Patsy Spaw
Secretary of the Senate

APPROVED: 20 MAY '11

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
6:00 P.M. O'CLOCK

Don Rahn
Secretary of State