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LexisNexis (R) Texas Annotated Statutes  
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\*\*\* This document is current through the 2011 First Called Session \*\*\*  
\*\*\* Federal case annotations: Jan 3, 2012 postings on Lexis \*\*\*  
\*\*\* State case annotations: Dec. 16, 2011 postings on Lexis \*\*\*

HEALTH AND SAFETY CODE  
TITLE 8. DEATH AND DISPOSITION OF THE BODY  
SUBTITLE B. DISPOSITION OF THE BODY  
CHAPTER 694. BURIAL

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Tex. Health & Safety Code § 694.002 (2012)

**§ 694.002. Duty of Commissioners Court Concerning Disposition of Body of Deceased Paupers**

(a) The commissioners court of each county shall provide for the disposition of the body of a deceased pauper. The commissioners court may adopt rules to implement this section.

(b) The commissioners court shall consider any information, including the religious affiliation of the deceased pauper, provided by a person listed in Section 711.002(a).

(c) If a county discovers cash in the possession of a deceased pauper, a county may use the cash to pay the actual costs incurred by the county in disposing of the pauper's body.

(d) If any cash remains after the county has paid the costs of disposing of the body under Subsection (c), the county shall place the cash in trust. A person having a claim to the money in trust must exercise the right to collect the money not later than the first anniversary of the date of disposition of the pauper's body.

(e) A county may create a fund to be used by the county to pay the costs incurred in disposing of the bodies of deceased paupers and administering the county's body disposition activities. If money placed in a trust under Subsection (d) is not claimed by the first anniversary of the date of disposition of the pauper's body, the county may transfer the money to the fund created under this subsection.

**HISTORY:** Enacted by Acts 1989, 71st Leg., ch. 678 (H.B. 2136), § 1, effective September 1, 1989; am. Acts 1991, 72nd Leg., ch. 14 (S.B. 404), § 211, effective September 1, 1991; am. Acts 1999, 76th Leg., ch. 929 (H.B. 2301), § 1, effective September 1, 1999; am. Acts 2009, 81st Leg., ch. 404 (H.B. 1843), § 1, effective June 19, 2009; am. Acts 2009, 81st Leg., ch. 480 (S.B. 530), § 1, effective June 19, 2009.

**NOTES:**

2009 amendment,  
by chs. 404 and 480, added (c), (d), and (e).

LexisNexis (R) Notes:

OPINIONS OF ATTORNEY GENERAL

1. Pursuant to its duty under Health and Safety Code section 694.002 to provide for the disposition of the body of a deceased pauper, a commissioners court has implied authority to purchase and maintain land for the exclusive interment of deceased paupers. The commissioners court may adopt a rule under this provision authorizing the county to acquire and operate property for this purpose. Op. Tex. Att'y Gen. No. GA-0235 (2004).