

JOHNSON COUNTY COMMISSIONERS COURT



DEC 13 2021

Becky Ivey, County Clerk  
Johnson County Texas

By ma Deputy

MIKE WHITE  
Commissioner Pct. #3

LARRY WOOLLEY  
Commissioner Pct. #4

RICK BAILEY  
Commissioner Pct. #1

ROGER HARMON  
County Judge

PAULA REID  
Assistant to Commissioner's Court

KENNY HOWELL  
Commissioner Pct. #2

THE STATE OF TEXAS  
  
COUNTY OF JOHNSON

§  
§  
§

ORDER #2021-97

**AMENDED RULES TO PROVIDE FOR THE DISPOSITION OF  
THE BODY OF A DECEASED PAUPER PURSUANT TO  
SECTION 694.002 OF THE HEALTH AND SAFETY CODE**

The Johnson County Commissioners Court met on December 13, 2021 in regular session for the purpose of amending the rules to provide for the disposition of the body of a deceased pauper pursuant to section 694.002 of the Health and Safety Code and to replace Order #2013-30 that was approved September 23, 2013.

A motion was made by Commissioner White, Pct. #3 and seconded by Commissioner Bailey, Pct. #1 to amend the rules to provide for the disposition of the body of a deceased pauper pursuant to section 694.002 of the Health and Safety Code as set forth on Exhibit A attached hereto and incorporated as if set forth verbatim and to replace Order #2013-30 that was approved on September 23, 2013.

**NOW THEREFORE BE IT RESOLVED AND ORDERED:**

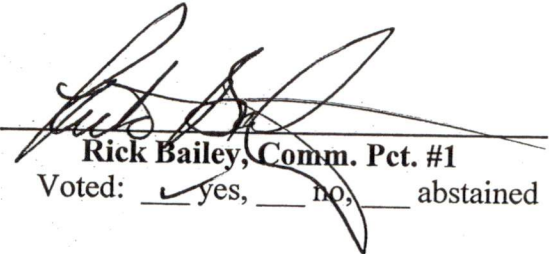
The Commissioners Court of Johnson County, Texas does hereby amend the rules to provide for the disposition of the body of a deceased pauper pursuant to section 694.002 of the Health and Safety Code as set forth on Exhibit A attached hereto and incorporated as if set forth verbatim and to replace Order #2013-30 that was approved September 23, 2013 with this Order.

WITNESS OUR HAND THIS THE 13<sup>TH</sup> DAY OF DECEMBER, 2021.



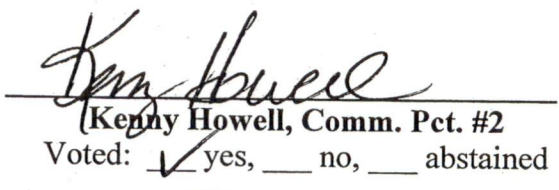
**Roger Harmon, Johnson County Judge**

Voted:  yes,  no,  abstained



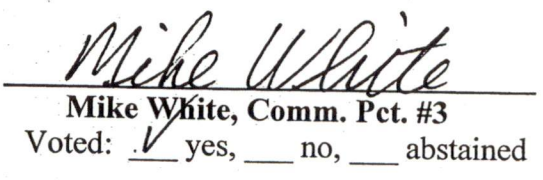
**Rick Bailey, Comm. Pct. #1**

Voted:  yes,  no,  abstained



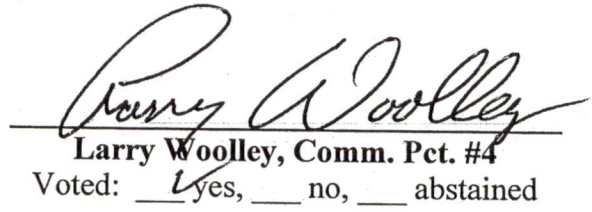
**Kenny Howell, Comm. Pct. #2**

Voted:  yes,  no,  abstained



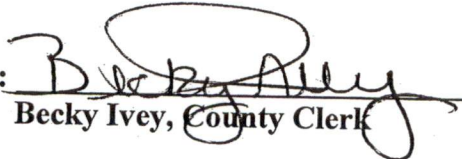
**Mike White, Comm. Pct. #3**

Voted:  yes,  no,  abstained



**Larry Woolley, Comm. Pct. #4**

Voted:  yes,  no,  abstained

ATTEST:   
**Becky Ivey, County Clerk**





**EXHIBIT A**  
**AMENDED RULES OF JOHNSON COUNTY, TEXAS FOR THE DISPOSITION**  
**OF THE BODY A DECEASED PAUPER PURSUANT TO SECTION**  
**694.002 OF THE HEALTH AND SAFETY CODE**

1. If a deceased pauper in the possession of Johnson County is not immediately claimed for burial, Johnson County shall notify the State Anatomical Board pursuant to Texas Health and Safety Code § 691.023. If the Board does not request possession of the deceased pauper, Johnson County shall dispose of the deceased pauper in accordance with the rules below.
2. Johnson County has entered into an Interlocal Agreement with the University of North Texas Health Science Center (hereinafter referred to as "Health Science Center") for the disposition of bodies of deceased paupers.
3. The Health Science Center will perform cremation on bodies of deceased paupers donated by Johnson County and accepted by the Health Science Center for its programs at no charge to Johnson County or the pauper's family, with the ashes being returned to the pauper's family. In the event that the pauper's family objects to the use of the body for medical training, or in the event that the body cannot be used for medical training, Johnson County shall arrange for the body to be cremated and the ashes returned to the pauper's family. Any fee for cremation will be paid by Johnson County. Johnson County may contract with Health Science Center or any other entity for cremation services.
4. The following persons, in the priority listed have the right to provide information, including the religious affiliation of the deceased pauper, to Johnson County regarding the disposition of the body of a deceased pauper:
  - a. the person designated in a written instrument signed by the decedent;
  - b. the decedent's surviving spouse;
  - c. any one of the decedent's surviving adult children;
  - d. either one of the decedent's surviving parents;
  - e. any one of the decedent's surviving adult siblings; or
  - f. any adult person in the next degree of kinship in the order named by law to inherit the estate of the decedent.
5. Any information, including the religious affiliation of the deceased pauper, shall be submitted in writing to the County Judge of Johnson County located in the Johnson County Courthouse, 2 North Main Street, Cleburne, Texas 76033.
6. In the event that there is an objection to cremation by a person in the priority listed above in number 2, the Commissioners Court shall consider that person's objection to the cremation, although the final decision as to the disposition of the body of the deceased pauper is a matter for the Commissioners Court to determine.
7. The County Judge shall provide a written statement of the costs of cremation and the costs of burial to the person objecting to the cremation.
8. The Commissioners Court will authorize disposition of the body of the deceased pauper by burial if the person objecting to the cremation, another relative of the deceased pauper, or any other interested party submits a donation to Johnson County for all costs associated with the burial of the deceased pauper that exceeds the cost of a cremation and provides the County

Judge with a receipt showing payment. Said payment must be made to the Johnson County Treasurer located in the Johnson County Courthouse, 2 North Main Street, Cleburne, Texas 76033.

9. In order to expedite the disposition of the body of a deceased pauper, the Commissioners Court authorizes the County Judge of Johnson County to administer the Rules Of Johnson County, Texas For The Disposition Of The Body Of A Deceased Pauper; however, the County Judge may have the Commissioners Court consider any matter related to the disposition of the body of a deceased pauper he deems appropriate.
10. If a donation is received by the County Treasurer for the purposes of paying expenses for the burial of a deceased pauper, the Commissioners Court will consider said donation pursuant to section 81.032 of the Local Government Code, at a subsequent Commissioners Court meeting.
11. The disposition of the body of an unidentified pauper will be by burial as Section 716.101 of the Health and Safety Code prohibits a crematory establishment from accepting for cremation unidentified human remains.



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DEC 13 2021

Approved

**REQUEST FOR AGENDA PLACEMENT FORM**

**Submission Deadline - Tuesday, 12:00 PM before Court Dates**

**SUBMITTED BY:** Bill Moore

**TODAY'S DATE:** November 29, 2021

**DEPARTMENT:** County Attorney

**SIGNATURE OF DEPARTMENT HEAD:**

**REQUESTED AGENDA DATE:** December 13, 2021

**SPECIFIC AGENDA WORDING:** Consideration of Order #2021-97, Amended Rules to Provide for the Disposition of the Body of a Deceased Pauper Pursuant to Section 694.002 of the Health and Safety Code

**PERSON(S) TO PRESENT ITEM:** Bill Moore

**SUPPORT MATERIAL:** (Must enclose supporting documentation)

**TIME:** 5 minutes

**ACTION ITEM:**

  x  

(Anticipated number of minutes needed to discuss item)

**WORKSHOP:** \_\_\_\_\_

**CONSENT:** \_\_\_\_\_

**EXECUTIVE:** \_\_\_\_\_

**STAFF NOTICE:**

**COUNTY ATTORNEY:**

**IT DEPARTMENT:**

**AUDITOR:** \_\_\_\_\_

**PURCHASING DEPARTMENT:** \_\_\_\_\_

**PERSONNEL:** \_\_\_\_\_

**PUBLIC WORKS:** \_\_\_\_\_

**BUDGET COORDINATOR:**

**OTHER:** Medical Examiner

\*\*\*\*\*This Section to be Completed by County Judge's Office\*\*\*\*\*

ASSIGNED AGENDA DATE: \_\_\_\_\_

REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE \_\_\_\_\_

COURT MEMBER APPROVAL \_\_\_\_\_ Date \_\_\_\_\_