

1-1 By: Schofield (Senate Sponsor - Kolckhorst) H.B. No. 2214  
1-2 (In the Senate - Received from the House May 10, 2017;  
1-3 May 10, 2017, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 18, 2017, reported favorably by  
1-5 the following vote: Yeas 6, Nays 0; May 18, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to cemeteries in certain municipalities.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Section 711.008, Health and Safety Code, is  
1-20 amended by amending Subsection (a) and adding Subsection (g-1) to  
1-21 read as follows:

1-22 (a) Except as provided by Subsections (b), (f), (g), (g-1),  
1-23 (h), and (k), an individual, corporation, partnership, firm, trust,  
1-24 or association may not establish or operate a cemetery, or use any  
1-25 land for the interment of remains, located:

1-26 (1) in or within one mile of the boundaries of a  
1-27 municipality with a population of 5,000 to 25,000;

1-28 (2) in or within two miles of the boundaries of a  
1-29 municipality with a population of 25,000 to 50,000;

1-30 (3) in or within three miles of the boundaries of a  
1-31 municipality with a population of 50,000 to 100,000;

1-32 (4) in or within four miles of the boundaries of a  
1-33 municipality with a population of 100,000 to 200,000; or

1-34 (5) in or within five miles of the boundaries of a  
1-35 municipality with a population of at least 200,000.

1-36 (g-1) Not later than September 1, 2020, a nonprofit  
1-37 organization may file a written application with the governing body  
1-38 of a municipality to establish or use a cemetery located inside the  
1-39 boundaries of the municipality. The municipality by ordinance  
1-40 shall prescribe the information to be included in the application.  
1-41 The governing body by ordinance may authorize the establishment or  
1-42 use of a cemetery located inside the boundaries of the municipality  
1-43 if the municipality determines and states in the ordinance that the  
1-44 establishment or use of the cemetery does not adversely affect  
1-45 public health, safety, and welfare. This subsection applies only  
1-46 to a municipality that is wholly or partly located in a county with  
1-47 a population of more than 3.3 million.

1-48 SECTION 2. This Act takes effect immediately if it receives  
1-49 a vote of two-thirds of all the members elected to each house, as  
1-50 provided by Section 39, Article III, Texas Constitution. If this  
1-51 Act does not receive the vote necessary for immediate effect, this  
1-52 Act takes effect September 1, 2017.

1-53 \* \* \* \* \*