

1-1 By: Miller, et al. H.B. No. 4179
1-2 (Senate Sponsor - Miles, Kolthorst)
1-3 (In the Senate - Received from the House May 8, 2019;
1-4 May 10, 2019, read first time and referred to Committee on
1-5 Intergovernmental Relations; May 17, 2019, reported favorably by
1-6 the following vote: Yeas 7, Nays 0; May 17, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 A BILL TO BE ENTITLED
1-17 AN ACT

1-18 relating to the cemeteries in certain counties.
1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-20 SECTION 1. Subchapter B, Chapter 713, Health and Safety
1-21 Code, is amended by adding Section 713.0271 to read as follows:
1-22 Sec. 713.0271. CEMETERY OWNED BY CERTAIN COUNTIES. A
1-23 county with a population of more than 550,000 that borders a county
1-24 with a population of more than 3.3 million may own, operate, and
1-25 maintain a cemetery.
1-26 SECTION 2. Section 713.028(a), Health and Safety Code, is
1-27 amended to read as follows:
1-28 (a) For purposes of historical preservation or public
1-29 health, safety, or welfare, a commissioners court may use public
1-30 funds, county employees, county inmate labor as provided by Article
1-31 43.10, Code of Criminal Procedure, and county equipment to maintain
1-32 a cemetery that is at least ~~[has a grave marker more than]~~ 50 years
1-33 old.
1-34 SECTION 3. Section 713.026(a), Health and Safety Code, is
1-35 amended to read as follows:
1-36 (a) Except as provided by Sections 713.027, 713.0271, and
1-37 713.028, a trustee of a fund established under this subchapter or a
1-38 member of the commissioners court or any other elected county
1-39 officer may not pay or use public funds or county employees,
1-40 equipment, or property to maintain a neglected or unkept public or
1-41 private cemetery.
1-42 SECTION 4. This Act takes effect immediately if it receives
1-43 a vote of two-thirds of all the members elected to each house, as
1-44 provided by Section 39, Article III, Texas Constitution. If this
1-45 Act does not receive the vote necessary for immediate effect, this
1-46 Act takes effect September 1, 2019.

1-47 * * * * *