

1-1 By: Kuempel (Senate Sponsor - Campbell) H.B. No. 1526
 1-2 (In the Senate - Received from the House May 3, 2021;
 1-3 May 10, 2021, read first time and referred to Committee on Business
 1-4 & Commerce; May 20, 2021, reported favorably by the following vote:
 1-5 Yeas 9, Nays 0; May 20, 2021, 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	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to cemeteries in certain municipalities.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 711.008, Health and Safety Code, is
 1-22 amended by amending Subsection (a) and adding Subsection (g-2) to
 1-23 read as follows:

1-24 (a) Except as provided by Subsections (b), (f), (g), (g-1),
 1-25 (g-2), (h), and (k), an individual, corporation, partnership, firm,
 1-26 trust, or association may not establish or operate a cemetery, or
 1-27 use any land for the interment of remains, located:

1-28 (1) in or within one mile of the boundaries of a
 1-29 municipality with a population of 5,000 to 25,000;

1-30 (2) in or within two miles of the boundaries of a
 1-31 municipality with a population of 25,000 to 50,000;

1-32 (3) in or within three miles of the boundaries of a
 1-33 municipality with a population of 50,000 to 100,000;

1-34 (4) in or within four miles of the boundaries of a
 1-35 municipality with a population of 100,000 to 200,000; or

1-36 (5) in or within five miles of the boundaries of a
 1-37 municipality with a population of at least 200,000.

1-38 (g-2) Not later than December 1, 2022, an individual,
 1-39 corporation, partnership, firm, trust, or association may file a
 1-40 written application with the governing body of a municipality to
 1-41 establish or use a cemetery located inside the legal boundaries of
 1-42 the municipality. The municipality by ordinance shall prescribe the
 1-43 information to be included in the application. The governing body
 1-44 by ordinance may authorize the establishment or use of the cemetery
 1-45 if the municipality determines and states in the ordinance that the
 1-46 establishment or use of the cemetery does not adversely affect
 1-47 public health, safety, and welfare. This subsection applies only
 1-48 to a municipality that has a population of:

1-49 (1) at least 55,000 and not more than 60,000 and that
 1-50 is located in two counties, each of which has a population of less
 1-51 than 132,000; or

1-52 (2) at least 24,000 and not more than 26,000 and that
 1-53 is the county seat of a county that has a population of at least
 1-54 130,000 and not more than 135,000.

1-55 SECTION 2. This Act takes effect immediately if it receives
 1-56 a vote of two-thirds of all the members elected to each house, as
 1-57 provided by Section 39, Article III, Texas Constitution. If this
 1-58 Act does not receive the vote necessary for immediate effect, this
 1-59 Act takes effect September 1, 2021.

1-60 * * * * *