

By: King of Uvalde

H.B. No. 2732

A BILL TO BE ENTITLED

AN ACT

relating to cemeteries in certain municipalities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

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

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

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

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

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

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

(m) Not later than September 1, 2024, an organized religious society or sect may file a written application with the governing body of a municipality to establish or use a cemetery within the

1 boundaries of the municipality. The municipality by ordinance
2 shall prescribe the information to be included on the application.
3 The governing body by ordinance may authorize the establishment or
4 use of the cemetery if the municipality determines and states in the
5 ordinance that the establishment or use does not adversely affect
6 public health, safety, and welfare. This subsection applies only
7 to a municipality with a population of 200,000 or more located in a
8 county with a population of less than 300,000 that is adjacent to
9 this state's international border with Mexico.

10 SECTION 2. This Act takes effect September 1, 2023.