

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

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

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