

By: Collier, Orr

H.B. No. 5175

A BILL TO BE ENTITLED

1 AN ACT

2 relating to access to certain cemeteries.

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

4 SECTION 1. Section 711.041, Health and Safety Code, is
5 amended by amending Subsection (a) and adding Subsection (c-1) to
6 read as follows:

7 (a) Any person who wishes to visit a cemetery or private
8 burial grounds for which no public ingress or egress is available
9 shall have the right to reasonable ingress and egress for the
10 purpose of visiting the cemetery or private burial grounds. This
11 right of access extends only to visitation during the hours
12 determined by the owner or owners of the lands under Subsection (b)
13 or at a reasonable time as provided by Subsection (c) or (c-1) and
14 only for purposes usually associated with cemetery visits.

15 (c-1) Notwithstanding Subsection (b), the owner or owners
16 of the lands surrounding a cemetery or private burial grounds must
17 allow a person to enter and exit the owner's land for the purpose of
18 visiting the cemetery or private burial grounds between the hours
19 of 8 a.m. and 5 p.m. every day of the year.

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