

BILL ANALYSIS

H.B. 904
By: Mowery
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, the plot owners of nonprofit cemetery corporations control the corporation. Some nonprofit cemetery corporations were not formed by plot owners (as is implied by the current “control” provision) but are nevertheless technically under the control of the plot owners. The purpose of House Bill 904 is to allow nonprofit cemetery corporations that were not formed by plot owners to be controlled by the people who did form the corporation.

RULEMAKING AUTHORITY

It is the committee’s opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

House Bill 904 amends the Health and Safety Code, to exempt nonprofit cemetery corporations that were formed by non-plot owners from the requirement that the corporation be controlled by the corporation.

EFFECTIVE DATE

This bill takes effect September 1, 2003.