

BILL ANALYSIS

C.S.H.B. 2562
By: Rose
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, grave spaces in the State Cemetery are allotted for persons eligible for burial. The list of eligible persons includes former members of the Legislature, former elected state officials, and certain former appointed officials. Although current members of the Legislature, current elected state officials, and certain current appointed officials will clearly be eligible for burial in the State cemetery once they leave office or upon their demise, the law as presently worded does not allow these persons to have grave spaces allotted, since at the present time they do not fall under the definition of "eligible for burial." One purpose of C.S.H.B. 2562 is to allow such persons to be allotted grave spaces for themselves and eligible family members.

In addition, current law provides that, under certain circumstances, an eligible person's unmarried child may be allotted a grave space in the State Cemetery if the child is, or has been, a resident in a state eleemosynary institution. Another purpose of C.S.H.B. 2562 is to expand the eligibility criteria to include children who are, or have been, residents of state-operated or state-licensed eleemosynary institutions.

RULEMAKING AUTHORITY

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

ANALYSIS

C.S.H.B. 2562 amends Section 2165.256 (f) of the Government Code to provide that grave spaces in the State Cemetery are allotted for a person who is eligible, or who clearly will be eligible, for burial in the State Cemetery, as well as eligible family members. The bill also provides that an eligible person's unmarried child is eligible if the child, on September 1, 1979 or at the time of the child's death, is a resident in a state-operated or state-licensed eleemosynary institution.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill amended Section 2165.256(d) of the Government Code to provide that a former state official or a state official who dies in office who has been appointed by the Governor and confirmed by the Senate and who served at least 6 years (rather than 12 years as in current law) in the office to which appointed is eligible for burial in the State Cemetery.

The substitute does not amend Section 2165.256(d) of the Government Code. Rather, it amends Section 2165.256(f) of the Government Code, as specified above.

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