

## **BILL ANALYSIS**

H.B. 1404  
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Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

A columbarium is a structure made to store and display cinerary urns, or urns holding the cremated remains of the deceased. Traditionally columbaria have been attached to churches, but it is becoming more common for columbaria to be free-standing structures. Prior to S.B. 350, enacted in the 79th Legislature, Regular Session, 2005, the Health and Safety Code required a columbarium to be a part of or attached to a church. S.B. 350 eased the location requirements so that columbaria could be established separately from a church, while still on church property. The provision was limited to the City of Houston, however, as the request arose out of a particular circumstance.

H.B. 1404 permits freestanding columbaria to be established on church grounds statewide.

### **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**

H.B. 1404 amends the Health and Safety Code to remove the municipal population threshold for a columbarium established and used by a religious society or sect on land owned by the society or sect and part of the campus on which an existing principal church building is located to be exempt from the prohibition against location of the columbarium in or within certain distances of the boundaries of municipalities of different population sizes.

### **EFFECTIVE DATE**

September 1, 2009.