

BILL ANALYSIS

S.B. 1103
By: Duncan
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The City of Lubbock cemetery is a conglomeration of several different cemeteries dating back to the late 19th century. Some sections of the cemetery were previously operated by private, for-profit entities or nonprofit organizations that are now defunct and the associated perpetual trust funds have been unfunded. Currently, the City of Lubbock has allocated a 10 percent fee from the sale of each cemetery property to the segregated perpetual trust fund, the balance of which is \$110,000.

S.B. 1103 authorizes the governing body of a certain municipality to abolish its perpetual trust fund for a cemetery and use the fund for permanent improvements to the cemetery.

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

S.B. 1103 amends the Health and Safety Code to authorize the governing body of a municipality in a county with a population of at least 128,000 but not more than 300,000, rather than not more than 133,000, to abolish its perpetual trust fund for a cemetery and use the fund for permanent improvements to the cemetery.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.