

By: Miller of Erath

H.B. No. 1031

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to maintenance of roads on the property of a perpetual care  
3 cemetery.

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

5 SECTION 1. Section 712.007(c), Health and Safety Code, is  
6 amended to read as follows:

7 (c) A corporation must include the following statement in  
8 each sales contract, certificate of ownership, or other instrument  
9 of conveyance of the exclusive right of sepulture:

10 "This cemetery is operated as a perpetual care  
11 cemetery, which means that a perpetual care fund for  
12 its maintenance has been established in conformity  
13 with the laws of the State of Texas. Perpetual care  
14 means to maintain, repair, and care for the cemetery,  
15 including the roads on cemetery property."

16 SECTION 2. Subchapter A, Chapter 712, Health and Safety  
17 Code, is amended by adding Section 712.0071 to read as follows:

18 Sec. 712.0071. ROAD MAINTENANCE. A corporation that  
19 operates a perpetual care cemetery shall properly maintain and  
20 repair the roads on cemetery property.

21 SECTION 3. The changes in law made by this Act are intended  
22 to clarify rather than change existing law.

23 SECTION 4. This Act takes effect September 1, 2009.