

BILL ANALYSIS

Senate Research Center

S.B. 1871
By: Estes
Administration
7/22/2013
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently there are many service requirements regarding who may be buried in the Texas State Cemetery. One of those requirements is that a former state official who has been appointed by the governor and confirmed by the senate must serve at least 12 years in the office to which appointed. S.B. 1871 changes that requirement to a term of 10 years.

S.B. 1871 amends current law relating to the state cemetery.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2165.256, Government Code, by adding Subsection (b-1) and amending Subsection (d), as follows:

(b-1) Provides that notwithstanding Subsection (b), the property other than the property described as Lot No. 5, Division B, City of Austin, Travis County, Texas, is no longer dedicated for cemetery purposes as part of the State Cemetery as provided by that subsection if, not later than December 31, 2014:

(1) the State Cemetery Committee (committee):

(A) makes affirmative findings that:

(i) the property is no longer needed for cemetery purposes;

(ii) proceeds from a real property transaction involving the property described by this subsection will be used to further the goals of the committee, including capital improvements or major repairs or renovations to the State Cemetery, or for a purpose described by Subsection (p) (relating to requiring the committee to develop plans for obtaining land adjacent to the State Cemetery for expansion of the cemetery); and

(iii) concerns expressed by residents of neighborhoods in the vicinity of the property have been considered and that efforts have been made to address those concerns; and

(B) expressly consents by a majority vote of the committee to remove the dedication; and

(2) the chair of the committee files in the deed records of Travis County and submits for publication in the Texas Register a document indicating that the dedication is removed.

(d) Provides that certain persons are eligible for burial in the State Cemetery, including 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 10 years, rather than at least 12 years, in the office to which appointed.

SECTION 2. Effective date: September 1, 2013.