

By: Kuempel

H.B. No. 1415

A BILL TO BE ENTITLED

AN ACT

relating to establishment or use of cemeteries in certain municipalities.

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

SECTION 1. Subsection (h), Section 711.008, Health and Safety Code, as added by Chapter 367 (S.B. 131), Acts of the 82nd Legislature, Regular Session, 2011, is redesignated as Subsection (i), Section 711.008, Health and Safety Code, and amended to read as follows:

(i) ~~[(h)]~~ A ~~[Not later than September 1, 2014, a]~~ person may file a written application with the governing body of a municipality to establish or use a cemetery located inside the boundaries of the municipality. The municipality by ordinance shall prescribe the information to be included in the application. The governing body by ordinance may authorize the establishment or use of a cemetery located inside the boundaries of the municipality if the municipality determines and states in the ordinance that the establishment or use of the cemetery does not adversely affect public health, safety, and welfare. This subsection applies only to a municipality that:

- (1) is located in three or more counties;
- (2) has a population of 18,000 or more; and
- (3) does not have a cemetery within its boundaries, other than a family cemetery.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2015.