

By: Naishtat

H.B. No. 1545

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the State Cemetery preservation trust fund.

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

SECTION 1. Subchapter F, Chapter 2165, Government Code, is amended by adding Section 2165.2565 to read as follows:

Sec. 2165.2565. STATE CEMETERY PRESERVATION TRUST FUND.

(a) The State Cemetery preservation trust fund is created as a trust fund outside the state treasury to be held with the comptroller in trust. The State Cemetery Committee shall administer the fund as trustee on behalf of the people of this state. The fund consists of money:

(1) transferred or appropriated to the fund; and

(2) received by the State Cemetery Committee under Section 2165.256(s) and deposited to the fund by the committee.

(b) The interest received from investment of money in the fund shall be credited to the fund.

(c) Money in the fund may be used only to:

(1) maintain, renovate, make major repairs or capital improvements to, or preserve the State Cemetery, as determined by the State Cemetery Committee; or

(2) acquire land in close proximity to the State Cemetery for expansion of the cemetery.

SECTION 2. Notwithstanding Section 222.002, Transportation

1 Code, or any other law, as soon as practicable after the sale of
2 property that is the subject of Section 2165.256(b-1), Government
3 Code, the comptroller of public accounts shall transfer from the
4 state highway fund to the State Cemetery preservation trust fund,
5 as created by this Act, an amount of money equal to the portion of
6 the proceeds attributable to the sale of that property that is
7 required to be deposited by the Texas Department of Transportation
8 in a subaccount in the state highway fund for use by the State
9 Cemetery Committee under the terms of a memorandum of understanding
10 entered into between the department and the State Cemetery
11 Committee.

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