By:  Clardy (Senate Sponsor - Nichols) H.B. No. 2198

(In the Senate - Received from the House April 15, 2019; April 17, 2019, read first time and referred to Committee on Intergovernmental Relations; May 6, 2019, reported favorably by the following vote: Yeas 6, Nays 0; May 6, 2019, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Lucio                X

Schwertner           X

Alvarado             X

Campbell             X

Fallon               X

Menéndez                       X

Nichols              X

A BILL TO BE ENTITLED

AN ACT

relating to the use of a perpetual trust fund for a cemetery by certain municipalities.

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

SECTION 1.  Section 713.008, Health and Safety Code, is amended to read as follows:

Sec. 713.008.  TERMINATION OF MUNICIPAL TRUST BY CERTAIN MUNICIPALITIES. (a) The governing body of a municipality in a county with a population of at least 128,000 but not more than 300,000 may abolish the municipality's perpetual trust fund for a cemetery and use the fund, including both principal and interest, for permanent improvements to the cemetery.

(b)  The governing body of a municipality in a county with a population of at least 40,000 but not more than 80,000 and that contains a portion of the Angelina National Forest may abolish the municipality's perpetual trust fund for a cemetery and use the fund, including both principal and interest, for permanent improvements to the cemetery. Termination of a trust fund under this subsection does not constitute renouncement of a trust or failure to act as its trustee under this subchapter.

SECTION 2.  This Act takes effect September 1, 2019.

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