86R16847 EAS-F

By:  Miller H.B. No. 4179

A BILL TO BE ENTITLED

AN ACT

relating to the cemeteries in certain counties.

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

SECTION 1.  Subchapter B, Chapter 713, Health and Safety Code, is amended by adding Section 713.0271 to read as follows:

Sec. 713.0271.  CEMETERY OWNED BY CERTAIN COUNTIES. A county with a population of more than 550,000 that borders a county with a population of more than 3.3 million may own, operate, and maintain a cemetery.

SECTION 2.  Section 713.028(a), Health and Safety Code, is amended to read as follows:

(a)  For purposes of historical preservation or public health, safety, or welfare, a commissioners court may use public funds, county employees, county inmate labor as provided by Article 43.10, Code of Criminal Procedure, and county equipment to maintain a cemetery that is at least [~~has a grave marker more than~~] 50 years old.

SECTION 3.  Section 713.026(a), Health and Safety Code, is amended to read as follows:

(a)  Except as provided by Sections 713.027, 713.0271, and 713.028, a trustee of a fund established under this subchapter or a member of the commissioners court or any other elected county officer may not pay or use public funds or county employees, equipment, or property to maintain a neglected or unkept public or private cemetery.

SECTION 4.  This Act takes effect September 1, 2019.