

1-1 By: Miller, et al. H.B. No. 4179  
1-2 (Senate Sponsor - Miles, Kolthorst)  
1-3 (In the Senate - Received from the House May 8, 2019;  
1-4 May 10, 2019, read first time and referred to Committee on  
1-5 Intergovernmental Relations; May 17, 2019, reported favorably by  
1-6 the following vote: Yeas 7, Nays 0; May 17, 2019, sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9	Lucio	X		
1-10	Schwertner	X		
1-11	Alvarado	X		
1-12	Campbell	X		
1-13	Fallon	X		
1-14	Menéndez	X		
1-15	Nichols	X		

1-16 A BILL TO BE ENTITLED  
1-17 AN ACT

1-18 relating to the cemeteries in certain counties.  
1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-20 SECTION 1. Subchapter B, Chapter 713, Health and Safety  
1-21 Code, is amended by adding Section 713.0271 to read as follows:  
1-22 Sec. 713.0271. CEMETERY OWNED BY CERTAIN COUNTIES. A  
1-23 county with a population of more than 550,000 that borders a county  
1-24 with a population of more than 3.3 million may own, operate, and  
1-25 maintain a cemetery.  
1-26 SECTION 2. Section 713.028(a), Health and Safety Code, is  
1-27 amended to read as follows:  
1-28 (a) For purposes of historical preservation or public  
1-29 health, safety, or welfare, a commissioners court may use public  
1-30 funds, county employees, county inmate labor as provided by Article  
1-31 43.10, Code of Criminal Procedure, and county equipment to maintain  
1-32 a cemetery that is at least ~~[has a grave marker more than]~~ 50 years  
1-33 old.  
1-34 SECTION 3. Section 713.026(a), Health and Safety Code, is  
1-35 amended to read as follows:  
1-36 (a) Except as provided by Sections 713.027, 713.0271, and  
1-37 713.028, a trustee of a fund established under this subchapter or a  
1-38 member of the commissioners court or any other elected county  
1-39 officer may not pay or use public funds or county employees,  
1-40 equipment, or property to maintain a neglected or unkept public or  
1-41 private cemetery.  
1-42 SECTION 4. This Act takes effect immediately if it receives  
1-43 a vote of two-thirds of all the members elected to each house, as  
1-44 provided by Section 39, Article III, Texas Constitution. If this  
1-45 Act does not receive the vote necessary for immediate effect, this  
1-46 Act takes effect September 1, 2019.

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