

## **BILL ANALYSIS**

H.B. 3199  
By: Meza  
Land & Resource Management  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised that due to current statutory restrictions on the location of a cemetery it may be difficult for families in large urban areas to find a cemetery for the remains of their loved ones that is convenient for both burial and future visitation. Due to these restrictions and such factors as the affordability and limited availability of space at existing cemeteries, some families often find themselves driving quite a distance to bury or visit a loved one. Existing statutes governing where a new cemetery may be located are in need of an update due to the state's population growth and municipal expansion. H.B. 3199 seeks to help alleviate this issue by providing for a process for the establishment or use of a cemetery in certain municipalities and counties.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 3199 amends the Health and Safety Code to set out provisions relating to cemeteries applicable only to the following:

- a county:
  - with a population of more than 750,000; or
  - that is adjacent to a county with a population of more than 750,000; and
- a municipality that is located in one of these counties.

H.B. 3199 authorizes an individual, corporation, partnership, firm, trust, or association to file a written application with the governing body of a municipality or the county commissioners court, as applicable, to establish or use a cemetery located inside municipal or county limits, as applicable. The bill requires the governing body by ordinance or commissioners court by order to prescribe the information to be included in the application. The bill authorizes the governing body by ordinance or commissioners court by order to authorize the establishment or use of the cemetery if the governing body or commissioners court determines and states in the ordinance or order that the establishment or use does not adversely affect public health, safety, and welfare.

### **EFFECTIVE DATE**

September 1, 2021.