

1-1 By: Meza (Senate Sponsor - West) H.B. No. 783  
 1-2 (In the Senate - Received from the House April 17, 2023;  
 1-3 April 18, 2023, read first time and referred to Committee on Local  
 1-4 Government; May 19, 2023, reported favorably by the following  
 1-5 vote: Yeas 8, Nays 0; May 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

|      | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7  |     |     |        |     |
| 1-8  | X   |     |        |     |
| 1-9  | X   |     |        |     |
| 1-10 | X   |     |        |     |
| 1-11 |     |     | X      |     |
| 1-12 | X   |     |        |     |
| 1-13 | X   |     |        |     |
| 1-14 | X   |     |        |     |
| 1-15 | X   |     |        |     |
| 1-16 | X   |     |        |     |

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to cemeteries in certain municipalities and counties.  
 1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-21 SECTION 1. Section 711.008, Health and Safety Code, is  
 1-22 amended by amending Subsection (a) and adding Subsections (g-3) and  
 1-23 (g-4) to read as follows:  
 1-24 (a) Except as provided by Subsections (b), (f), (g), (g-1),  
 1-25 (g-2), (g-3), (g-4), (h), and (k), an individual, corporation,  
 1-26 partnership, firm, trust, or association may not establish or  
 1-27 operate a cemetery, or use any land for the interment of remains,  
 1-28 located:  
 1-29 (1) in or within one mile of the boundaries of a  
 1-30 municipality with a population of 5,000 to 25,000;  
 1-31 (2) in or within two miles of the boundaries of a  
 1-32 municipality with a population of 25,000 to 50,000;  
 1-33 (3) in or within three miles of the boundaries of a  
 1-34 municipality with a population of 50,000 to 100,000;  
 1-35 (4) in or within four miles of the boundaries of a  
 1-36 municipality with a population of 100,000 to 200,000; or  
 1-37 (5) in or within five miles of the boundaries of a  
 1-38 municipality with a population of at least 200,000.  
 1-39 (g-3) An individual, corporation, partnership, firm, trust,  
 1-40 or association may file a written application with the governing  
 1-41 body of a municipality to establish or use a cemetery located inside  
 1-42 the limits of the municipality. The governing body by ordinance  
 1-43 shall prescribe the information to be included in the application.  
 1-44 The governing body by ordinance may authorize the establishment or  
 1-45 use of the cemetery if the governing body determines and states in  
 1-46 the ordinance that the establishment or use of the cemetery does not  
 1-47 adversely affect public health, safety, and welfare. This  
 1-48 subsection applies only to a municipality that is located in:  
 1-49 (1) a county with a population of more than 750,000; or  
 1-50 (2) a county adjacent to a county with a population of  
 1-51 more than 750,000.  
 1-52 (g-4) An individual, corporation, partnership, firm, trust,  
 1-53 or association may file a written application with the  
 1-54 commissioners court of a county to establish or use a cemetery  
 1-55 located inside the limits of the county. The commissioners court by  
 1-56 order shall prescribe the information to be included in the  
 1-57 application. The commissioners court by order may authorize the  
 1-58 establishment or use of the cemetery if the commissioners court  
 1-59 determines and states in the order that the establishment or use of  
 1-60 the cemetery does not adversely affect public health, safety, and  
 1-61 welfare. This subsection applies only to a county:

