

BILL ANALYSIS

H.B. 2673
By: Lujan
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that new cemeteries are generally prohibited from being established in or within certain distances of a municipality based on the municipality's population and that, while existing cemeteries can expand onto adjacent land, entirely new burial grounds generally have to be outside municipal boundaries. The bill author has also informed the committee that this long-standing policy ensured that cemeteries did not conflict with urban development or public health needs as municipalities grew but that H.B. 783 from the 88th Regular Session broke with this precedent by providing for new cemeteries inside the limits of certain municipalities. H.B. 2673 seeks to restore the previous regulations regarding cemeteries and municipal development that served Texas communities well for generations.

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. 2673 repeals Health and Safety Code provisions that do the following with respect to a county with a population of more than 750,000 or that is adjacent to such a county and with respect to a municipality that is located in any of those counties:

- authorize an individual, corporation, partnership, firm, trust, or association to file a written application with the county commissioners court or the municipality's governing body, as applicable, to establish or use a cemetery located inside the limits of the respective county or municipality;
- require the commissioners court by order or the municipality's governing body by ordinance, respectively, to prescribe the information to be included in the application; and
- authorize the commissioners court by order or the municipality's governing body by ordinance, respectively, to authorize the establishment or use of the cemetery if the respective commissioners court or municipal governing body determines and states in the respective order or ordinance that such establishment or use does not adversely affect public health, safety, and welfare.

H.B. 2673 amends the Health and Safety Code to make conforming changes.

H.B. 2673 repeals Sections 711.008(g-3) and (g-4), Health and Safety Code.

EFFECTIVE DATE

September 1, 2025.