

BILL ANALYSIS

H.B. 2214
By: Schofield
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that some families must bury their loved ones in cemeteries located miles away from their homes and local churches due to certain restrictions against the creation of new cemeteries in some municipalities with rapid population growth. H.B. 2214 seeks to address this issue by authorizing a nonprofit organization to file an application with the governing body of certain municipalities to establish or use a cemetery located within the boundaries of the municipality.

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. 2214 amends the Health and Safety Code to authorize a nonprofit organization, not later than September 1, 2020, to file a written application with the governing body of a municipality that is wholly or partly located in a county with a population of more than 3.3 million to establish or use a cemetery located inside the boundaries of the municipality. The bill requires the municipality by ordinance to prescribe the information to be included in the application. The bill authorizes the governing body by ordinance to authorize the establishment or use of a cemetery located inside the boundaries of the municipality if the municipality determines and states in the ordinance that the establishment or use of the cemetery does not adversely affect public health, safety, and welfare.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.