

BILL ANALYSIS

H.B. 2198
By: Clardy
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that certain municipalities, such as the City of Nacogdoches, must contend with a perpetual trust fund for a cemetery for which there are unclear and overly burdensome restrictions that make it unnecessarily difficult to apply the money in the fund to its intended purpose. H.B. 2198 seeks to address this issue by providing for the abolition of a municipality's cemetery perpetual trust fund by the governing body of certain municipalities.

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. 2198 amends the Health and Safety Code to authorize the governing body of a municipality in a county with a population of at least 40,000 but not more than 80,000 and that contains a portion of the Angelina National Forest to abolish the municipality's perpetual trust fund for a cemetery and to use the fund, including both principal and interest, for permanent improvements to the cemetery. The bill establishes that such termination of a trust fund does not constitute renouncement of a trust or failure to act as its trustee.

EFFECTIVE DATE

September 1, 2019.