

BILL ANALYSIS

Senate Research Center

H.B. 166
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Intergovernmental Relations
5/4/2001
Engrossed

DIGEST AND PURPOSE

Current law prohibits an individual, corporation, partnership, firm, trust, or association from establishing or operating a cemetery located in or within certain distances of the boundaries of a municipality based upon the population of that municipality. H.B. 166 allows a charitable nonprofit corporation to file a written application with the governing body of a municipality with a population of at least 60,000 that is located in a county with a population of no more than 155,000 to establish or use a cemetery located within the boundaries of the municipality

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 711.008, Health and Safety Code, by amending Subsection (a) and adding Subsection (f), as follows:

(a) Makes a conforming change.

(f) Provides that this subsection applies only to certain municipalities. Authorizes a charitable nonprofit corporation, not later than December 1, 2001, to file a written application with the governing body of a municipality to establish or use a cemetery located inside the boundaries of the municipality. Requires the municipality by ordinance to prescribe the information to be included in the application. Authorizes the governing body by ordinance to authorize the establishment or use of a cemetery located inside the boundaries of the municipality under certain conditions.

SECTION 2. Effective date: upon passage or September 1, 2001.