

BILL ANALYSIS

Senate Research Center
87R6462 EAS-F

S.B. 629
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Business & Commerce
3/26/2021
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The City of Mission has not had a cemetery built within the city limits in the past 15 years. Unfortunately, due to the ongoing COVID-19 pandemic and the number of related deaths in the area, Mission has seen an increased need for burial plots beyond those already utilized by the city. The current cemeteries within the city's limits are reaching over 90 percent capacity and current statute does not allow them to develop a new cemetery, despite the increased need for plots.

S.B. 629 would ensure the community has the statutory ability to create space for burials.

S.B. 629 grants statutory authority for the City of Mission to develop a new cemetery within its city limits. Once authority is granted, the regulation of the cemetery or any other type of perpetual care would continue as the law is already written.

As proposed, S.B. 629 amends current law relating to an exemption for certain cemeteries from cemetery location restrictions.

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 (b) and adding Subsection (d-1), as follows:

(b) Provides that Subsection (a) (relating to prohibiting the operation and establishment of a cemetery in certain locations based on population) does not apply to certain entities, including the establishment and operation of an authorized perpetual care cemetery, rather than of a perpetual care facility by an organized religious society or sect, that meets certain criteria.

(d-1) Provides that Subsection (a) does not apply to a cemetery established and operating before September 1, 2021, in a municipality with a population of not less than 75,000 and not more than 95,000, and in which a state veterans cemetery is located.

SECTION 2. Effective date: September 1, 2021.