

BILL ANALYSIS

C.S.H.B. 4179
By: Miller
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that an unmarked 19th century burial site that contained the remains of a number of inmates was recently uncovered and that the issue of the disposition of the remains has become a major local issue. It was suggested that the county step in and agree to purchase the land where the remains were discovered for proper reburial, but the county lacks the necessary statutory authority. C.S.H.B. 4179 seeks to address this issue by authorizing certain counties to own, operate, and maintain a cemetery.

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

C.S.H.B. 4179 amends the Health and Safety Code to authorize a county with a population of more than 550,000 that borders a county with a population of more than 3.3 million to own, operate, and maintain a cemetery. The bill clarifies that a commissioners court's authority to care for a cemetery that is at least 50 years old is not determined solely on the basis of the cemetery having a grave marker more than 50 years old.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4179 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the bill's effective date to provide for immediate effect if the bill receives the necessary vote.