

BILL ANALYSIS

Senate Research Center
76R11177 JRD-D

H.B. 3442
By: Isett (Harris)
Administration
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Engrossed

DIGEST

The Texas Historical Commission (commission) has been charged with identifying unmarked burials and cemeteries in our Texas communities for the purpose of historical preservation. The commission operates the Historical Texas Cemetery Designation Program to identify unknown cemeteries and promote an attitude of respect and reverence for these cemeteries. H.B. 3442 would establish a commission program for the identification and preservation of abandoned cemeteries.

PURPOSE

As proposed, H.B. 3442 establishes a Texas Historical Commission program for the identification and preservation of abandoned cemeteries.

RULEMAKING AUTHORITY

Rulemaking authority is granted in SECTION 1 (Section 442.017(d), Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 442, Government Code, by adding Section 442.017, as follows:

Sec. 442.017. IDENTIFICATION AND PRESERVATION OF ABANDONED CEMETERIES. Requires the Texas Historical Commission (commission) to establish a program to identify and preserve abandoned cemeteries across the state. Provides that the commission is encouraged to use volunteers to the maximum extent possible to implement the program to model the program to the extent appropriate on the "Adopt-A-Beach" program. Authorizes the commissioner to accept gifts, grants, and in-kind donations from public and private entities, as well as authorize the legislature to appropriate money for implementation of the program. Requires the commission to adopt reasonable rules to implement the program. Requires the commission to define "abandoned cemetery." Provides that action taken under this section does not affect the authority of another governmental entity to take an action in relation to an abandoned cemetery under other law.

SECTION 2. Emergency clause.

Effective date: upon passage.