

BILL ANALYSIS

Senate Research Center
78R5194 JTS-D

S.B. 667
By: Ogden
Intergovernmental Relations
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DIGEST AND PURPOSE

Currently, private individuals and entities cannot establish or operate cemeteries located within two miles of a city with a population of 25,000 to 50,000. As proposed, S.B. 667 would create a limited exception to allow a corporation to file an application with the governing body of a municipality having a population between 27,000 and 30,000 located in a county with a population between 245,000 and 250,000 to establish or use a cemetery located outside the municipality but within two miles of its boundaries.

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 (g), as follows:

(a) Deletes reference to Subsection (c) and adds reference to Subsection (g).

(g) Authorizes a corporation, not later than December 1, 2003, to file a written application with the governing body of a municipality that has a population of at least 27,000 and not more than 30,000 and that is located in a county with a population of at least 245,000 and not more than 250,000 to establish or use a cemetery located outside the municipality but within two miles of the municipal boundaries. 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 the cemetery if the municipality determines and states in the ordinance that the establishment or use of the cemetery does not adversely affect public health, safety, and welfare.

SECTION 2. Effective date: upon passage or September 1, 2003.