

BILL ANALYSIS

Senate Research Center
81R11652 SJM-D

S.B. 1103
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Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The City of Lubbock cemetery is a conglomeration of several different cemeteries dating back to the late 19th century. Some sections of the cemetery were previously operated by private, for-profit entities or nonprofit organizations that are now defunct and the associated perpetual trust funds have been unfunded. Currently, the City of Lubbock has allocated a 10 percent fee from the sale of each cemetery property to the segregated perpetual trust fund, the balance of which is \$110,000.

As proposed, S.B. 1103 authorizes the governing body of a municipality in a county with a population of at least 128,000 but not more than 300,000, rather than 133,000, to abolish the municipality's perpetual trust fund for a cemetery and use the fund, including both the principal and interest, for permanent improvements to the cemetery.

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 713.008, Health and Safety Code, as follows:

Sec. 713.008. **TERMINATION OF MUNICIPAL TRUST BY CERTAIN MUNICIPALITIES.** Authorizes the governing body of a municipality in a county with a population of at least 128,000 but not more than 300,000, rather than 133,000, to abolish the municipality's perpetual trust fund for a cemetery and use the fund, including both the principal and interest, for permanent improvements to the cemetery.

SECTION 2. Effective date: upon passage or September 1, 2009.