

BILL ANALYSIS

Senate Research Center
87R15935 EAS-F

H.B. 2005
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2019, the George W. Bush Foundation engaged with Jack Goodnoe Cemetery Planning and Design to create options for President and Mrs. Bush to be laid to rest at the Bush Center. There is an important legal step necessary to secure a state legislative exemption necessary to establish the private family cemetery. Legislation is required to permit the establishment of a private family cemetery at the site of a presidential library and museum.

Current law prohibits the establishment or operating of a cemetery, or use of any land for the interment of remains, located in or within five miles of the boundaries of a municipality with a population of at least 200,000. There are certain exemptions for this law, but currently, the establishment and use of a private family cemetery at the site of a presidential library and museum is not one of them.

H.B. 2005 seeks to remedy this by amending Section 711.008(b), Health and Safety Code, by adding Subdivision (8). This addition will exempt a private family cemetery at the site of a presidential library and museum from the current prohibited sites.

H.B. 2005 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(b), Health and Safety Code, as follows:

(b) Provides that Subsection (a) (relating to cemetery location restrictions) does not apply to certain cemeteries, including the establishment and use of a private family cemetery at a presidential library and museum. Makes nonsubstantive changes.

SECTION 2. Effective date: September 1, 2021.