

SUBJECT:           Allowing a secondary church columbarium in Houston

COMMITTEE:       Public Health — favorable, without amendment

VOTE:             9 ayes — Delisi, Laubenberg, Coleman, Dawson, Jackson, McReynolds,  
Solis, Truitt, Zedler

0 nays

SENATE VOTE:     On final passage, March 17 — 31-0, on Local and Uncontested Calendar

WITNESSES:       For — Sidney McClendon, St. Martin's Episcopal Church

Against — None

BACKGROUND:     Under Health and Safety Code, sec. 711.008(a), a cemetery, or other place where remains are interred, generally may not operate within the boundaries of a municipality. Exceptions include an existing cemetery and a columbarium attached to the principal church building of a religious society or sect. A "columbarium" is a vault or other fireproof structure having recesses in the walls to house urns for cremated remains.

DIGEST:           SB 350 would allow the establishment and use of a columbarium, in a municipality with a population of 1.8 million or more (Houston), by a tax-exempt religious society on land owned by the society that was part of the campus where an existing principal church building stood.

The bill defines "campus" as an area of commonly owned land where church facilities are located. To be eligible to establish and use a columbarium within city limits, a religious organization would have to be considered tax-exempt under the federal Internal Revenue Service Code.

The bill would take effect September 1, 2005.

SUPPORTERS  
SAY:               SB 350 would ensure that a religious organization allowed to establish and use a columbarium within city limits was a tax-exempt organization under federal law. The law places restrictions on the interment of remains within municipal limits, so it is important to verify the legitimacy of

organizations granted exemptions, both to uphold the law and to protect public health.

The bill would support the needs of St. Martin's Episcopal Church in Houston, which already has a columbarium attached to the main church. It recently has constructed a new chapel on the same property and would like to attach a columbarium to it. SB 350 would enable this important community organization to continue to grow and serve its parishioners.

OPPONENTS  
SAY:

No apparent opposition.