

BILL ANALYSIS

Senate Research Center
81R19883 YDB-D

H.B. 1031
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Health & Human Services
5/13/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Department of Banking currently oversees perpetual care cemeteries and the funds created to maintain the properties. However, the statutes pertaining to the maintenance of perpetual care cemeteries is broad and does not explicitly list what must be included in the properties' upkeep. As a result, there has been some confusion as to whether the roads on cemetery property must be maintained as part of general upkeep.

H.B. 1031 amends current law relating to maintenance of roads on the property of a perpetual care 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 712.007(c), Health and Safety Code, to require a corporation to include a statement in each sales contract, certificate of ownership, or other instrument of conveyance of the exclusive right of sepulture. Sets forth the required language of the statement.

SECTION 2. Provides that the amendment of Section 712.007(c), Health and Safety Code, by this Act is intended to clarify rather than change existing law.

SECTION 3. Effective date: September 1, 2009.