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CS/CS/HB 37

2021 Legislature

1
2 An act relating to abandoned cemeteries; creating the
3 Task Force on Abandoned African-American Cemeteries;
4 specifying the purpose of the task force; requiring
5 the Department of State to provide administrative and
6 staff support; specifying the composition of the task
7 force; providing meeting requirements; prescribing
8 duties of the task force; requiring the task force to
9 submit a report to the Governor and the Legislature by
10 a specified date; providing for expiration of the task
11 force; providing an effective date.

12
13 WHEREAS, until the conclusion of the Civil War, millions of
14 African Americans in the United States, including Florida, were
15 enslaved, and

16 WHEREAS, following the end of slavery, African Americans
17 continued to be subject to various discriminatory practices,
18 including restrictions on burying the dead, which resulted in
19 segregated cemeteries and burial grounds, and

20 WHEREAS, unlike predominantly white cemeteries and burial
21 grounds, African-American cemeteries and burial grounds were not
22 subject to regulations and recordkeeping necessary to protect
23 the dignity of the deceased, and

24 WHEREAS, as a result, many abandoned African-American
25 cemeteries and burial grounds have been inadvertently discovered

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26 following years of disrepair and neglect when land is being
 27 redeveloped or has been sold, and

28 WHEREAS, to this day, abandoned African-American cemeteries
 29 and burial grounds throughout this state continue to be
 30 uncovered, as evidenced by recent reports regarding the former
 31 Zion Cemetery site in the Tampa Heights neighborhood and the
 32 former Ridgewood Cemetery on the grounds of C. Leon King High
 33 School, both in the City of Tampa, and

34 WHEREAS, the State of Florida recognizes its obligation to
 35 identify and properly record abandoned African-American
 36 cemeteries and burial grounds in order to preserve history,
 37 better inform development decisions, and ensure dignity and
 38 respect for the deceased, NOW, THEREFORE,

39

40 Be It Enacted by the Legislature of the State of Florida:

41

42 Section 1. (1) The Task Force on Abandoned African-
 43 American Cemeteries, a task force as defined in s. 20.03(8),
 44 Florida Statutes, is created adjunct to the Department of State
 45 for the express purpose of studying the extent to which unmarked
 46 or abandoned African-American cemeteries and burial grounds
 47 exist throughout the state and developing and recommending
 48 strategies for identifying and recording cemeteries and burial
 49 grounds while also preserving local history and ensuring dignity
 50 and respect for the deceased. Except as otherwise provided in

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51 this section, the task force shall operate in a manner
52 consistent with s. 20.052, Florida Statutes. The department
53 shall provide administrative and staff support relating to the
54 functions of the task force.

55 (2) The task force is composed of the following members:

56 (a) The Secretary of State, or his or her designee, who
57 shall serve as chair.

58 (b) A representative of the Bureau of Archaeological
59 Research of the Division of Historical Resources, appointed by
60 the Secretary of State.

61 (c) One person nominated by the President of the Florida
62 State Conference of the National Association for the Advancement
63 of Colored People and appointed by the Secretary of State.

64 (d) One representative of the Florida Council of Churches,
65 nominated by the executive director of the council and appointed
66 by the Secretary of State.

67 (e) One representative of the Florida African American
68 Heritage Preservation Network, nominated by the executive
69 director of the network and appointed by the Secretary of State.

70 (f) One representative of the Florida Public Archaeology
71 Network, appointed by the Secretary of State.

72 (g) One representative of the cemetery industry, appointed
73 by the Secretary of State.

74 (h) One member of the Senate, appointed by the President
75 of the Senate.

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76 (i) One member of the House of Representatives, appointed
 77 by the Speaker of the House of Representatives.

78 (j) One elected official from a local government,
 79 appointed by the Secretary of State.

80 (3) The task force shall hold its first meeting by August
 81 1, 2021. The task force may meet as many times as it deems
 82 necessary to complete the duties prescribed in this section.

83 (4) The task force shall:

84 (a) Review the findings and recommendations made by the
 85 Task Force on Abandoned and Neglected Cemeteries created
 86 pursuant to chapter 98-268, Laws of Florida, and any legislative
 87 or administrative action that was taken in response to the task
 88 force's findings and recommendations.

89 (b) Examine the adequacy of current practices regarding
 90 the preservation of unmarked and abandoned African-American
 91 cemeteries and burial grounds and identify any challenges unique
 92 to African-American cemeteries and burial grounds.

93 (c) Identify locations of unmarked and abandoned African-
 94 American cemeteries and burial grounds throughout the state and
 95 propose strategies, including any proposed legislation, for the
 96 preservation and evaluation of such sites.

97 (d) Make recommendations regarding standards for the
 98 creation, placement, and maintenance of a memorial at any
 99 identified locations of unmarked and abandoned African-American
 100 cemeteries or burial grounds throughout the state.

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101 (5) By January 1, 2022, the task force shall submit a
102 report detailing its findings and recommendations to the
103 Governor, the President of the Senate, the Speaker of the House
104 of Representatives, the Minority Leader of the Senate, and the
105 Minority Leader of the House of Representatives.

106 (6) This section expires March 11, 2022.

107 Section 2. This act shall take effect July 1, 2021.