

CHAPTER 2021-60

Committee Substitute for Committee Substitute for House Bill No. 37

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

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

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

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

WHEREAS, as a result, many abandoned African-American cemeteries and burial grounds have been inadvertently discovered following years of disrepair and neglect when land is being redeveloped or has been sold, and

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

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

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

Section 1. (1) The Task Force on Abandoned African-American Cemeteries, a task force as defined in s. 20.03(8), Florida Statutes, is created adjunct to the Department of State for the express purpose of studying the extent to which unmarked or abandoned African-American cemeteries and burial grounds exist throughout the state and developing and

recommending strategies for identifying and recording cemeteries and burial grounds while also preserving local history and ensuring dignity and respect for the deceased. Except as otherwise provided in this section, the task force shall operate in a manner consistent with s. 20.052, Florida Statutes. The department shall provide administrative and staff support relating to the functions of the task force.

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

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

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

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

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

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

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

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

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

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

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

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

(4) The task force shall:

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

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

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

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

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

(6) This section expires March 11, 2022.

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

Approved by the Governor June 4, 2021.

Filed in Office Secretary of State June 4, 2021.