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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/09/2019	.	
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The Committee on Governmental Oversight and Accountability  
(Cruz) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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



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

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

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

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

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

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

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

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

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

37 (3) The task force shall hold its first meeting by August  
38 1, 2020. The task force may meet as many times as it deems  
39 necessary to complete the duties prescribed in this section.



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40 (4) The task force shall:

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

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

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

54 (d) Make recommendations regarding the creation, placement,  
55 and maintenance of a memorial at the sites of the former Zion  
56 Cemetery and the former Ridgewood Cemetery in Tampa.

57 (5) By March 1, 2021, the task force shall submit a report  
58 detailing its findings and recommendations to the Governor, the  
59 President of the Senate, the Speaker of the House of  
60 Representatives, the Minority Leader of the Senate, and the  
61 Minority Leader of the House of Representatives.

62 (6) This section expires July 1, 2021.

63 Section 2. (1) (a) Upon receiving consent of the property  
64 owners at the former Zion Cemetery site in Tampa, the Department  
65 of State shall partner with the University of South Florida, the  
66 Florida Agricultural and Mechanical University, and the Zion  
67 Cemetery Archaeological Committee formed under the auspices of  
68 the Tampa Housing Authority, to continue an investigation to



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69 determine how many graves remain at the site.

70 (b) Any historical resource, record, archive, artifact,  
71 public research, or medical record that is recovered through the  
72 course of the investigation by the University of South Florida  
73 or the Florida Agricultural and Mechanical University shall  
74 remain in the custody of either university for archiving and  
75 preservation until the Department of State requests custody of  
76 such resource, record, archive, artifact, public research, or  
77 medical record.

78 (2) (a) The Department of State shall contract with the  
79 University of South Florida and the Florida Agricultural and  
80 Mechanical University for the identification and location of  
81 eligible next of kin of those buried at the site.

82 (b) No later than January 1, 2021, the universities shall  
83 provide the Department of State with a list of possible  
84 descendants of those buried at the site and, to the extent  
85 possible, their contact information.

86 (c) For any identification of next of kin occurring on or  
87 after January 1, 2021, the universities must provide contact  
88 information of the next of kin to the Department of State.

89 (3) The Department of State may adopt rules necessary to  
90 administer this section.

91 Section 3. A county or municipality may request  
92 reimbursement from the Department of State for any expenses  
93 incurred on or after July 1, 2020, in connection with the  
94 maintenance of historical or abandoned cemeteries. A county or  
95 municipality may only submit a request for reimbursement once  
96 per calendar year, and such expenses must have been incurred  
97 within 1 year before submission of the request. A county or



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98 municipality may only be reimbursed by the department for half  
99 of the expenses that are incurred out of public funds. A county  
100 or municipality may not be reimbursed for any portion of  
101 maintenance expenses which is funded through private funds  
102 solicited by the county or municipality pursuant to s. 497.284,  
103 Florida Statutes. The department may require a county or a  
104 municipality seeking reimbursement to produce any documentation  
105 specifying maintenance costs incurred.

106 Section 4. The Division of Historical Resources of the  
107 Department of State shall ensure that any abandoned African-  
108 American cemetery identified by the Task Force on Abandoned  
109 African-American Cemeteries is listed in the Florida Master Site  
110 File. Upon such a cemetery's listing in the Florida Master Site  
111 File and in lieu of the normal application process for  
112 historical markers, the division must seek placement of an  
113 Official Florida Historical Marker at a site so long as the  
114 approval of the owner of the property where the marker will be  
115 placed has been obtained. A person or an organization affiliated  
116 with an abandoned cemetery may assist the division in  
117 researching the history of such a site in the preparation of a  
118 historical marker's creation and placement. The costs for the  
119 creation and placement of a historical marker authorized  
120 pursuant to this section shall be borne by the division.

121 Section 5. For the 2020-2021 fiscal year, the sum of  
122 \$500,000 in nonrecurring funds is appropriated from the General  
123 Revenue Fund to the Department of State for the purpose of  
124 implementing this act. Of such sum, \$50,000 shall be allocated  
125 for the creation, placement, and maintenance of a memorial at  
126 the site of the former Zion Cemetery in Tampa; \$50,000 shall be



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127 allocated for the creation, placement, and maintenance of a  
128 memorial at the site of the former Ridgewood Cemetery at C. Leon  
129 King High School in Tampa; and \$400,000 shall be allocated to  
130 fund research associated with findings made by the Task Force on  
131 Abandoned African-American Cemeteries. Any funds remaining  
132 unexpended or unencumbered from this appropriation as of July 1,  
133 2021, revert and shall be reappropriated for the same purpose,  
134 or for the creation and placement of memorials or historical  
135 markers at additional cemetery sites that are identified by the  
136 Task Force on Abandoned African-American Cemeteries, in the  
137 2021-2022 fiscal year.

138 Section 6. This act shall take effect July 1, 2020.

139  
140 ===== T I T L E A M E N D M E N T =====

141 And the title is amended as follows:

142 Delete everything before the enacting clause  
143 and insert:

144 A bill to be entitled  
145 An act relating to abandoned cemeteries; creating the  
146 Task Force on Abandoned African-American Cemeteries;  
147 specifying the purpose of the task force; requiring  
148 the Department of State to provide administrative and  
149 staff support; specifying the composition of the task  
150 force; providing meeting requirements; prescribing  
151 duties of the task force; requiring the task force to  
152 submit a report to the Governor and the Legislature by  
153 a specified date; providing for expiration of the task  
154 force; requiring the department to partner with  
155 specified entities to undertake an investigation of



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156 the former Zion Cemetery site; specifying custody of  
157 certain historical resources, records, archives,  
158 artifacts, research, and medical records; requiring  
159 the department to contract with the University of  
160 South Florida and the Florida Agricultural and  
161 Mechanical University for the identification and  
162 location of eligible next of kin; requiring the  
163 universities to provide certain information regarding  
164 descendants to the department by a specified date;  
165 authorizing the department to adopt rules; authorizing  
166 counties and municipalities to seek reimbursement for  
167 expenses related to the maintenance of abandoned  
168 cemeteries; specifying requirements, limitations, and  
169 conditions for such reimbursements; directing the  
170 Division of Historical Resources of the department to  
171 ensure the listing of certain cemeteries in the  
172 Florida Master Site File; requiring the division to  
173 seek placement of historical markers at certain  
174 abandoned cemeteries, subject to certain limitations;  
175 authorizing certain persons and organizations to  
176 assist the division in researching the history of such  
177 cemeteries; specifying that costs associated with the  
178 creation and placement of such historical markers be  
179 borne by the division; providing appropriations;  
180 providing an effective date.

181  
182 WHEREAS, until the conclusion of the Civil War, millions of  
183 African Americans in the United States, including Florida, were  
184 enslaved, and



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

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

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

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

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