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LEGISLATIVE ACTION

Senate

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House

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



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,