

By the Committee on Governmental Oversight and Accountability;
and Senators Cruz, Gibson, and Rouson

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1 A bill to be entitled
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; requiring the department to partner with
12 specified entities to undertake an investigation of
13 the former Zion Cemetery site; specifying custody of
14 certain historical resources, records, archives,
15 artifacts, research, and medical records; requiring
16 the department to contract with the University of
17 South Florida and the Florida Agricultural and
18 Mechanical University for the identification and
19 location of eligible next of kin; requiring the
20 universities to provide certain information regarding
21 descendants to the department by a specified date;
22 directing the Division of Historical Resources of the
23 department to ensure the listing of certain cemeteries
24 in the Florida Master Site File; requiring the
25 division to seek placement of historical markers at
26 certain abandoned cemeteries, subject to certain
27 limitations; authorizing certain persons and
28 organizations to assist the division in researching
29 the history of such cemeteries; specifying that costs

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30 associated with the creation and placement of such
31 historical markers be borne by the division; providing
32 appropriations; providing an effective date.
33

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

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

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

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

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

55 WHEREAS, the State of Florida recognizes its obligation to
56 identify and properly record abandoned African-American
57 cemeteries and burial grounds in order to preserve history,
58 better inform development decisions, and ensure dignity and

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59 respect for the deceased, NOW, THEREFORE,

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

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63 Section 1. (1) The Task Force on Abandoned African-American
64 Cemeteries, a task force as defined in s. 20.03(8), Florida
65 Statutes, is created adjunct to the Department of State for the
66 express purpose of studying the extent to which unmarked or
67 abandoned African-American cemeteries and burial grounds exist
68 throughout the state and developing and recommending strategies
69 for identifying and recording cemeteries and burial grounds
70 while also preserving local history and ensuring dignity and
71 respect for the deceased. Except as otherwise provided in this
72 section, the task force shall operate in a manner consistent
73 with s. 20.052, Florida Statutes. The department shall provide
74 administrative and staff support relating to the functions of
75 the task force.

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

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

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

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

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

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

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

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

95 (3) The task force shall hold its first meeting by August
96 1, 2020. The task force may meet as many times as it deems
97 necessary to complete the duties prescribed in this section.

98 (4) The task force shall:

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

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

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

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

115 (5) By March 1, 2021, the task force shall submit a report
116 detailing its findings and recommendations to the Governor, the

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117 President of the Senate, the Speaker of the House of
118 Representatives, the Minority Leader of the Senate, and the
119 Minority Leader of the House of Representatives.

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

121 Section 2. (1) (a) Upon receiving consent of the property
122 owners at the former Zion Cemetery site in Tampa, the Department
123 of State shall partner with the University of South Florida, the
124 Florida Agricultural and Mechanical University, and the Zion
125 Cemetery Archaeological Committee formed under the auspices of
126 the Tampa Housing Authority, to continue an investigation to
127 determine how many graves remain at the site.

128 (b) Any historical resource, record, archive, artifact,
129 public research, or medical record that is recovered through the
130 course of the investigation by the University of South Florida
131 or the Florida Agricultural and Mechanical University shall
132 remain in the custody of either university for archiving and
133 preservation until the Department of State requests custody of
134 such resource, record, archive, artifact, public research, or
135 medical record.

136 (2) (a) The Department of State shall contract with the
137 University of South Florida and the Florida Agricultural and
138 Mechanical University for the identification and location of
139 eligible next of kin of those buried at the site.

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

144 (c) For any identification of next of kin occurring on or
145 after January 1, 2021, the universities must provide contact

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146 information of the next of kin to the Department of State.

147 Section 3. The Division of Historical Resources of the
148 Department of State shall ensure that any abandoned African-
149 American cemetery identified by the Task Force on Abandoned
150 African-American Cemeteries is listed in the Florida Master Site
151 File. Upon such a cemetery's listing in the Florida Master Site
152 File and in lieu of the normal application process for
153 historical markers, the division must seek placement of an
154 Official Florida Historical Marker at a site so long as the
155 approval of the owner of the property where the marker will be
156 placed has been obtained. A person or an organization affiliated
157 with an abandoned cemetery may assist the division in
158 researching the history of such a site in the preparation of a
159 historical marker's creation and placement. The costs for the
160 creation and placement of a historical marker authorized
161 pursuant to this section shall be borne by the division.

162 Section 4. For the 2020-2021 fiscal year, the sum of
163 \$100,000 in nonrecurring funds is appropriated from the General
164 Revenue Fund to the Department of State for the purpose of
165 implementing this act. Of such sum, \$50,000 shall be allocated
166 for the creation, placement, and maintenance of a memorial at
167 the site of the former Zion Cemetery in Tampa, and \$50,000 shall
168 be allocated for the creation, placement, and maintenance of a
169 memorial at the site of the former Ridgewood Cemetery at C. Leon
170 King High School in Tampa.

171 Section 5. This act shall take effect July 1, 2020.