

By the Committees on Appropriations; and Governmental Oversight and Accountability; and Senators Cruz, Gibson, Rouson, Book, and Stewart

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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; requiring
32 the department to create, place, and maintain
33 memorials at certain sites, subject to legislative
34 appropriation; providing an effective date.

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

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

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

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

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

57 WHEREAS, the State of Florida recognizes its obligation to
58 identify and properly record abandoned African-American

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59 cemeteries and burial grounds in order to preserve history,
60 better inform development decisions, and ensure dignity and
61 respect for the deceased, NOW, THEREFORE,
62

63 Be It Enacted by the Legislature of the State of Florida:
64

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

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

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

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

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

87 (d) One representative of the Florida Council of Churches,

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88 nominated by the executive director of the council and appointed
89 by the Secretary of State.

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

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

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

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

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

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

103 (3) The task force shall hold its first meeting by August
104 1, 2020. The task force may meet as many times as it deems
105 necessary to complete the duties prescribed in this section.

106 (4) The task force shall:

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

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

116 (c) Identify locations of unmarked and abandoned African-

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117 American cemeteries and burial grounds throughout the state and
118 propose strategies, including any proposed legislation, for the
119 preservation and evaluation of such sites.

120 (d) Make recommendations regarding standards for the
121 creation, placement, and maintenance of a memorial at any
122 identified locations of unmarked and abandoned African-American
123 cemetery or burial ground throughout the state.

124 (5) By March 1, 2021, the task force shall submit a report
125 detailing its findings and recommendations to the Governor, the
126 President of the Senate, the Speaker of the House of
127 Representatives, the Minority Leader of the Senate, and the
128 Minority Leader of the House of Representatives.

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

130 Section 2. (1) (a) Upon receiving consent of the property
131 owners at the former Zion Cemetery site in Tampa, the Department
132 of State shall partner with the University of South Florida, the
133 Florida Agricultural and Mechanical University, and the Zion
134 Cemetery Archaeological Committee formed under the auspices of
135 the Tampa Housing Authority, to continue an investigation to
136 determine how many graves remain at the site.

137 (b) Any historical resource, record, archive, artifact,
138 public research, or medical record that is recovered through the
139 course of the investigation by the University of South Florida
140 or the Florida Agricultural and Mechanical University shall
141 remain in the custody of either university for archiving and
142 preservation until the Department of State requests custody of
143 such resource, record, archive, artifact, public research, or
144 medical record.

145 (2) (a) The Department of State shall contract with the

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146 University of South Florida and the Florida Agricultural and
147 Mechanical University for the identification and location of
148 eligible next of kin of those buried at the site.

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

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

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

171 Section 4. Subject to specific appropriation, the
172 Department of State shall create, place, and maintain a memorial
173 at the site of the former Zion Cemetery in Tampa and at the site
174 of the former Ridgewood Cemetery at C. Leon King High School in

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175 Tampa.

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