

By Senator Cruz

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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 Florida Agricultural and Mechanical
18 University for the identification and location of
19 eligible next of kin; requiring the universities to
20 provide certain information regarding descendants to
21 the department by a specified date; directing the
22 Division of Historical Resources of the department to
23 ensure the listing of certain cemeteries in the
24 Florida Master Site File; requiring the division to
25 seek placement of historical markers at certain
26 abandoned cemeteries, subject to certain limitations;
27 authorizing certain persons and organizations to
28 assist the division in researching the history of such
29 cemeteries; specifying that costs associated with the

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30 creation and placement of such historical markers be
31 borne by the division; requiring the department to
32 create, place, and maintain memorials at certain
33 sites; providing an effective date.
34

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

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

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

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

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

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

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59 better inform development decisions, and ensure dignity and
60 respect for the deceased, NOW, THEREFORE,

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

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

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

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

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

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

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

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88 by the Secretary of State.

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

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

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

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

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

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

102 (3) The task force shall hold its first meeting by August
103 1, 2021. The task force may meet as many times as it deems
104 necessary to complete the duties prescribed in this section.

105 (4) The task force shall:

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

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

115 (c) Identify locations of unmarked and abandoned African-
116 American cemeteries and burial grounds throughout the state and

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117 propose strategies, including any proposed legislation, for the
118 preservation and evaluation of such sites.

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

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

128 (6) This section expires July 1, 2022.

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

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

144 (2) (a) The Department of State shall contract with the
145 University of South Florida and Florida Agricultural and

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

148 (b) No later than January 1, 2022, the universities shall
149 provide the Department of State with a list of possible
150 descendants of those buried at the site and, to the extent
151 possible, their contact information.

152 (c) For any identification of next of kin occurring on or
153 after January 1, 2022, the universities must provide contact
154 information of the next of kin to the Department of State.

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

170 Section 4. As funded by the Legislature, pursuant to
171 Specific Appropriation 3153A of the 2020-2021 General
172 Appropriations Act, the Department of State shall create, place,
173 and maintain a memorial at the site of the former Zion Cemetery
174 in Tampa and at the site of the former Ridgewood Cemetery at C.

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175 Leon King High School in Tampa.

176 Section 5. This act shall take effect July 1, 2021.