

**By** the Committee on Governmental Oversight and Accountability;  
and Senators Cruz and Stewart

585-02180-21

2021222c1

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

128 (6) This section expires March 11, 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.