

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

57 WHEREAS, the State of Florida recognizes its obligation to  
58 identify and properly record abandoned African-American  
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-  
66 American Cemeteries, a task force as defined in s. 20.03(8),  
67 Florida Statutes, is created adjunct to the Department of State  
68 for the express purpose of studying the extent to which unmarked  
69 or abandoned African-American cemeteries and burial grounds  
70 exist throughout the state and developing and recommending  
71 strategies for identifying and recording cemeteries and burial  
72 grounds while also preserving local history and ensuring dignity  
73 and respect for the deceased. Except as otherwise provided in  
74 this section, the task force shall operate in a manner  
75 consistent with s. 20.052, Florida Statutes. The department

76 shall provide administrative and staff support relating to the  
77 functions of 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,  
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  
98 of 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,  
102 appointed by the Secretary of State.

103 (3) The task force shall hold its first meeting by August  
104 1, 2021. 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  
113 the 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-  
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, 2022, 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, 2022.

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,  
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 Florida Agricultural and Mechanical University shall remain  
141 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  
146 University of South Florida and 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, 2022, 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, 2022, 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  
175 Tampa.

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2021

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