

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; providing an effective date.

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

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

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

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

48 |       WHEREAS, to this day, abandoned African-American cemeteries  
49 | and burial grounds throughout this state continue to be  
50 | uncovered, as evidenced by recent reports regarding the former

51 Zion Cemetery site in the Tampa Heights neighborhood and the  
 52 former Ridgewood Cemetery on the grounds of C. Leon King High  
 53 School, both in the City of Tampa, and

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

59

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

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

75

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

- 76        (a) The Secretary of State, or his or her designee, who  
 77 shall serve as chair.
- 78        (b) A representative of the Bureau of Archaeological  
 79 Research of the Division of Historical Resources, appointed by  
 80 the Secretary of State.
- 81        (c) One person nominated by the President of the Florida  
 82 State Conference of the National Association for the Advancement  
 83 of Colored People and appointed by the Secretary of State.
- 84        (d) One representative of the Florida Council of Churches,  
 85 nominated by the executive director of the council and appointed  
 86 by the Secretary of State.
- 87        (e) One representative of the Florida African American  
 88 Heritage Preservation Network, nominated by the executive  
 89 director of the network and appointed by the Secretary of State.
- 90        (f) One representative of the Florida Public Archaeology  
 91 Network, appointed by the Secretary of State.
- 92        (g) One representative of the cemetery industry, appointed  
 93 by the Secretary of State.
- 94        (h) One member of the Senate, appointed by the President  
 95 of the Senate.
- 96        (i) One member of the House of Representatives, appointed  
 97 by the Speaker of the House of Representatives.
- 98        (j) One elected official from a local government,  
 99 appointed by the Secretary of State.
- 100       (3) The task force shall hold its first meeting by August

101 1, 2021. The task force may meet as many times as it deems  
102 necessary to complete the duties prescribed in this section.

103 (4) The task force shall:

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

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

113 (c) Identify locations of unmarked and abandoned African-  
114 American cemeteries and burial grounds throughout the state and  
115 propose strategies, including any proposed legislation, for the  
116 preservation and evaluation of such sites.

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

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

126 (6) This section expires March 11, 2022.

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

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

142 (2)(a) The Department of State shall contract with the  
143 University of South Florida and Florida Agricultural and  
144 Mechanical University for the identification and location of  
145 eligible next of kin of those buried at the site.

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

150 (c) For any identification of next of kin occurring on or

151 after January 1, 2022, the universities must provide contact  
152 information of the next of kin to the Department of State.

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

168 Section 4. This act shall take effect July 1, 2021.