

By: Dutton

H.B. No. 2580

A BILL TO BE ENTITLED

AN ACT

1
2 relating to establishing a state historical marker program to honor
3 African Americans who served in the Texas Legislature during
4 Reconstruction.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. This Act shall be known as the Texas Black
7 Reconstruction Legislators Recognition Act.

8 SECTION 2. Subchapter A, Chapter 442, Government Code, is
9 amended by adding Section 442.0061 to read as follows:

10 Sec. 442.0061. STATE HISTORICAL MARKER PROGRAM TO HONOR
11 AFRICAN AMERICAN LEGISLATORS. (a) The commission shall establish
12 and administer a state historical marker program to honor African
13 Americans who served in the Texas Legislature between 1870 and
14 1875, during the 12th, 13th, or 14th Legislative Session.

15 (b) Except as provided by Subsection (c), the commission
16 shall install a historical marker at or as near as practicable to
17 the grave of each former member of the Texas Legislature described
18 by Subsection (a) in consultation with the:

19 (1) county historical commission established under
20 Chapter 318, Local Government Code, for the county in which the
21 grave is located; and

22 (2) cemetery association or other entity that manages
23 the cemetery in which the grave is located.

24 (c) If the former member's place of burial is unknown or the

1 commission determines that placement of a historical marker at the
2 former member's place of burial is inappropriate, the commission,
3 in consultation with the county historical commission established
4 under Chapter 318, Local Government Code, for each county
5 represented by the former member, shall install a historical marker
6 at an appropriate place within the boundaries of the counties
7 represented by the former member.

8 (d) Historical markers installed under this section must:

9 (1) have the same form, dimensions, and illustrations
10 as a large Official Texas Historical Marker described by Section
11 442.006(c) except that the markers must also include the state seal
12 at the bottom of the markers; and

13 (2) include text that reads:

14 "FOLLOWING THE AMERICAN CIVIL WAR AND EMANCIPATION OF SLAVES
15 IN 1865, IT WAS NOT UNTIL 1871 THAT AFRICAN AMERICANS IN TEXAS WERE
16 ABLE TO UNIFORMLY REGISTER TO VOTE, FOLLOWING THE RATIFICATION OF
17 THE 15TH AMENDMENT TO THE U.S. CONSTITUTION.

18 "WHILE AFRICAN AMERICANS SERVED AS DELEGATES TO STATE
19 CONSTITUTIONAL CONVENTIONS PRIOR TO 1870, THE FIRST AFRICAN
20 AMERICANS ELECTED TO SERVE IN THE TEXAS LEGISLATURE WERE ELECTED TO
21 THE 12TH LEGISLATURE, WHICH CONVENEED IN PROVISIONAL SESSION ON
22 FEBRUARY 8, 1870.

23 "PRIOR TO THE END OF FEDERAL RECONSTRUCTION IN 1870, TWELVE
24 AFRICAN AMERICANS SERVED IN THE TEXAS HOUSE OF REPRESENTATIVES, AND
25 TWO SERVED IN THE TEXAS SENATE.

26 "THIS MARKER IS ERECTED IN HONOR OF:

27 "(FIRST NAME, MIDDLE INITIAL, AND SURNAME OF THE FORMER

1 MEMBER) | (THE CHAMBER OF THE LEGISLATURE IN WHICH THE FORMER
2 MEMBER SERVED AND THE LEGISLATURE DURING WHICH THE FORMER MEMBER
3 SERVED) | (THE FORMER MEMBER'S DATE OF BIRTH OR "UNKNOWN," AS
4 APPLICABLE) | (THE FORMER MEMBER'S DATE OF DEATH) | (EACH COUNTY
5 REPRESENTED BY THE FORMER MEMBER)

6 "ERECTED BY THE 88TH TEXAS LEGISLATURE AND THE TEXAS
7 HISTORICAL COMMISSION AS AUTHORIZED BY (NUMBER OF THE BILL PASSED
8 BY THE 88TH LEGISLATURE AUTHORIZING THE ESTABLISHMENT OF THE STATE
9 HISTORICAL MARKER PROGRAM HONORING AFRICAN AMERICAN LEGISLATORS)"

10 (e) The commission may seek assistance from other state and
11 local governmental entities in carrying out the commission's duties
12 under this section.

13 (f) The commission may seek and accept gifts, grants, and
14 donations from public or private sources, including seeking
15 available federal funds, to accomplish the purposes of this
16 section.

17 SECTION 3. Not later than January 1, 2025, the Texas
18 Historical Commission shall install the historical markers
19 required by Section 442.0061, Government Code, as added by this
20 Act.

21 SECTION 4. This Act takes effect September 1, 2023.