

By: West, et al.  
(Dutton, Rose)

S.B. No. 667

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

(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.