

Amend Floor Amendment No. 3 to **HB 2971** by adding the following appropriately numbered SECTIONS to the amendment and renumbering subsequent SECTIONS added by the amendment appropriately:

SECTION \_\_\_\_ . Chapter 481, Government Code, is amended by adding Subchapter M to read as follows:

SUBCHAPTER M. BORDERLANDS HERITAGE

TOURISM COUNCIL

Sec. 481.181. DEFINITIONS. In this subchapter:

(1) "Council" means the Borderlands Heritage Tourism Council.

(2) "Heritage tourism" means tourism primarily based on a destination's history, landscape, trail systems, culture, parks, or natural preserves.

(3) "Historic property" means a district, site, building, structure, or object that is included on or meets the criteria for inclusion on the National Register of Historic Places or that is otherwise recognized by this state or a political subdivision of this state as having historical, prehistorical, or archaeological significance to the heritage of this state.

(4) "Natural or historical asset" means a locale, collection, itinerary, vista, landscape, cultural phenomenon, geological formation, byway, trail, waterway, or other property that is or that might become of unique, unusual, or pronounced interest to a resident or tourist of the area near the asset.

Sec. 481.182. ESTABLISHMENT. The department shall establish and administer the Borderlands Heritage Tourism Council.

Sec. 481.183. COUNCIL MEMBERS. The council consists of:

(1) one representative of the governor, appointed by the governor;

(2) one representative of the lieutenant governor, appointed by the lieutenant governor;

(3) one representative of the secretary of state, appointed by the secretary of state;

(4) one representative of the tourism division of the department, appointed by the governing board of the department;

(5) one member of the public, appointed by the governor after consultation with the speaker of the house of

representatives;

(6) one representative of the Texas Historical Commission, appointed by the Texas Historical Commission;

(7) one representative of the Parks and Wildlife Department, appointed by the Parks and Wildlife Commission;

(8) one representative of the Texas Department of Transportation, appointed by the Texas Transportation Commission;

and

(9) one representative from each regional planning commission established under Chapter 391, Local Government Code, by a municipality with a population of 105,000 or more that is located in the border region or a county located in the border region in which the majority of territory of a municipality with a population of 105,000 or more is located, appointed by the governor after consultation with each regional planning commission.

Sec. 481.184. COUNCIL DUTIES. The council shall:

(1) provide leadership in preserving historic property and developing the potential for heritage tourism of the border region through cooperative agreements with local governments, Native American governments, and federal agencies consistent with Executive Order 13287, as published in the March 5, 2003, Federal Register;

(2) develop cooperative agreements with agencies of the United Mexican States, or agencies of states of the United Mexican States that border Texas, to:

(A) advance the protection, enhancement, and contemporary use of historic property and natural or historical assets pertaining to the common heritage of the border region; and

(B) develop mutually beneficial tourism development strategies;

(3) develop strategies to encourage the use of the Internet to promote tourism in this state;

(4) designate as a borderlands heritage corridor the counties of the Texas-Mexico border region, as that term is defined by Section 2056.002(e), in which the majority of territory of a municipality with a population of 105,000 or more is located, and develop itineraries and maps to guide tourists to the Texas-Mexico

border region's historic property and natural or historical assets;

(5) assist locally based border heritage guides and artisans cooperatives in establishing training and certification programs for Borderlands Heritage Tourism guides and artisans;

(6) facilitate public-private partnerships to invest in the use, reuse, and rehabilitation of historic properties or natural or historical assets;

(7) on the recommendation of a local government, identify specific opportunities for the preservation of natural or historical assets and for the development of heritage tourism, in conjunction with a state-sponsored trails system and the heritage sites and itineraries identified by the council;

(8) develop and coordinate local public-private partnerships to facilitate heritage tourism in the borderlands heritage corridor identified under Subdivision (4);

(9) develop and publish a working list of existing public and private funds available for historic property and natural or historical asset preservation projects;

(10) consider the feasibility of working with state agencies, universities, and colleges and with private corporations to identify cash and in-kind resources that can be offered as matching contributions for projects overseen by the council; and

(11) provide technical assistance to local governments in rural areas of the border region in:

(A) information technology training;

(B) Internet website construction and management; and

(C) public relations consistent with available funds.

Sec. 481.185. INTERFERENCE WITH PROPERTY RIGHTS PROHIBITED. The council may not interfere with rights of owners of private property.

Sec. 481.186. CERTAIN ACTION OR DISCLOSURE NOT REQUIRED. This subchapter does not require or encourage a person to take any action or disclose any information that would conflict with or compromise national or state homeland security goals, policies, programs, or legally sanctioned activities.

Sec. 481.187. REVENUE RESTRICTIONS. This subchapter does not authorize the encumbrance of revenue generated by a municipal or county hotel occupancy tax.

Sec. 481.188. MEETINGS WITH LOCAL GOVERNMENTS. Each year, the council shall hold at least five public meetings in the border region for local governments and local stakeholders in heritage tourism of the border region to hear reports from the state officers and agencies with representatives serving on the council. At each meeting, the state officers and agencies shall reveal specific plans and projects to be undertaken within the local governments and receive specific recommendations from the local governments and tourism industry representatives.

SECTION \_\_\_\_\_. The Texas Department of Economic Development shall establish the Borderlands Heritage Tourism Council under Subchapter M, Chapter 481, Government Code, as added by this article, on or before September 1, 2003.