

By: Chavez, Gallego, Hilderbran, Solis

H.B. No. 2976

Substitute the following for H.B. No. 2976:

By: Griggs

C.S.H.B. No. 2976

A BILL TO BE ENTITLED

AN ACT

relating to the promotion of and funding for heritage tourism and economic development near the Texas-Mexico border.

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

SECTION 1. 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.

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

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

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

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

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

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

12 (5) one member of the public, appointed by the
13 governor after consultation with the speaker of the house of
14 representatives;

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

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

19 (8) one representative of the Texas Department of
20 Transportation, appointed by the Texas Transportation Commission;
21 and

22 (9) one representative from each regional planning
23 commission established under Chapter 391, Local Government Code, by
24 a municipality or county located in the border region, appointed by
25 the governor after consultation with each regional planning
26 commission.

27 Sec. 481.184. COUNCIL DUTIES. The council shall:

1 (1) provide leadership in preserving historic
2 property and developing the potential for heritage tourism of the
3 border region through cooperative agreements with local
4 governments, Native American governments, and federal agencies
5 consistent with Executive Order 13287, as published in the March 5,
6 2003, Federal Register;

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

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

13 (B) develop mutually beneficial tourism
14 development strategies;

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

17 (4) designate as a borderlands heritage corridor the
18 counties of the Texas-Mexico border region, as that term is defined
19 by Section 2056.002(e), and develop itineraries and maps to guide
20 tourists to the Texas-Mexico border region's historic property and
21 natural or historical assets;

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

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

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

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

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

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

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

18 (A) information technology training;

19 (B) Internet website construction and
20 management; and

21 (C) public relations consistent with available
22 funds.

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

26 Sec. 481.186. CERTAIN ACTION OR DISCLOSURE NOT REQUIRED.
27 This subchapter does not require or encourage a person to take any

1 action or disclose any information that would conflict with or
2 compromise national or state homeland security goals, policies,
3 programs, or legally sanctioned activities.

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

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

16 SECTION 2. Subchapter F, Chapter 502, Transportation Code,
17 is amended by adding Section 502.300 to read as follows:

18 Sec. 502.300. PRESERVE AMERICA'S BORDERLAND LICENSE
19 PLATES. (a) The department may issue specially designed license
20 plates for passenger cars and light trucks to support the
21 activities of the Borderlands Heritage Tourism Council.

22 (b) If the department issues license plates under this
23 section, the department shall design the license plates in
24 consultation with the Borderlands Heritage Tourism Council.

25 (c) If the department issues license plates under this
26 section, the department shall issue the license plates to a person
27 who:

1 (1) applies to the county tax assessor-collector of
2 the county in which the person resides on a form provided by the
3 department; and

4 (2) pays a fee of \$50 for an original issuance of
5 license plates under this section or \$40 for a renewal of issuance
6 of license plates under this section, in addition to the fee
7 prescribed by Section 502.161 or 502.162, and, if personalized
8 prestige license plates are issued, in addition to the fee
9 prescribed by Section 502.251.

10 (d) The fee for replacement of a lost, stolen, or mutilated
11 plate issued under this section is \$35, in addition to the fee
12 prescribed by Section 502.184(a).

13 (e) Of each fee collected under this section, \$8 may be used
14 to defray the cost of administering this section by the department.
15 The department shall deposit the remainder of each fee collected
16 under this section to the credit of an account in the state
17 treasury. Money in the account may be used only by the Texas
18 Department of Economic Development for projects overseen by the
19 Borderlands Heritage Tourism Council. The Texas Department of
20 Economic Development shall establish reporting and other
21 mechanisms necessary to ensure that the money is spent for purposes
22 for which it is dedicated.

23 (f) If the owner of a vehicle registered under this section
24 disposes of the vehicle during the registration year, the owner
25 shall return the special license plates to the department.

26 SECTION 3. The Texas Department of Transportation shall
27 work with federal and local authorities that have an interest in

1 port of entry issues to develop recommendations for the legislature
2 to assert the state's interest in historical and traditional border
3 crossings, so that the crossings may be preserved and may provide a
4 regulated link for the movement of people between the communities
5 on both sides of the Texas-Mexico border. The Texas Department of
6 Transportation shall deliver these recommendations to the
7 legislature not later than December 1, 2004.

8 SECTION 4. The Texas Department of Economic Development
9 shall establish the Borderlands Heritage Tourism Council under
10 Subchapter M, Chapter 481, Government Code, as added by this Act, on
11 or before September 1, 2003.

12 SECTION 5. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2003.