

BILL ANALYSIS

H.B. 1317
By: Dukes
Culture, Recreation, & Tourism
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Twelfth Texas Legislature, which met after the Constitutional Convention of 1869, included two African American Senators and twelve African American Representatives. Even after the end of Reconstruction in Texas in 1873, two African American legislators continued to serve until 1897. After that, there was not another African American serving in the Legislature until 1967.

H.B. 1317 would honor those African American legislators who served during the 19th century with a cenotaph to be erected in the Texas State Cemetery site in Austin, Texas. It amends Section 2165.256 of the Government Code and stipulate that the State Cemetery Committee will design and construct the cenotaph, with the Texas Building and Procurement Commission providing financial or technical assistance in relation to the design or construction of the cenotaph or entering into a contract with another entity for the design or construction of the cenotaph. If the committee is not appropriated funding under Section 2165.265 (k), the Texas Building and Procurement Commission will make an interagency transfer of up to \$20,000 to enable the committee to perform the duties specified under Section 2165.265 (t).

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1317 amends Section 2165.256 of the Government Code by adding section (t), which requires the State Cemetery Committee to oversee the design and construction of a cenotaph in the State Cemetery in honor of 19th-Century African American Texas legislators. If the committee requests, the Texas Building and Procurement Commission shall provide financial or technical, or other assistance related to the design or construction of the cenotaph or about entering into a contract with another entity for the design or construction of the cenotaph. If the committee does not receive an appropriation under Section 2165.256 of the Government Code by September 1, 2007, the Texas Building and Procurement Commission must transfer up to \$20,000 to the committee for the design and construction of the cenotaph.

EFFECTIVE DATE

The Act takes effect September 1, 2007.