

House Bill 374
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter A, Chapter 2165, Government Code, is amended by adding Section 2165.008 to read as follows:

Sec. 2165.008. TEMPORARY USE OF STATE BUILDING OR GROUNDS BY TELEVISION OR FILM PRODUCTION COMPANY. (a) In this section:

(1) "Office" means the Music, Film, Television, and Multimedia Office.

(2) "Production company" means a film production company, television production company, or film and television production company.

(b) A state agency or other state governmental entity shall allow a production company to use any state building or grounds under the agency's or other entity's charge and control to produce a film, national broadcast, episodic television series, or commercial that is approved by the office under Subsection (c).

(c) The office shall review each proposal by a production company to use a state building or grounds.

The office may approve a proposal if:

(1) the office determines, after consulting with each state agency or other state governmental entity that occupies the building or uses the grounds, that the use will not significantly interfere with the conduct of state business;

(2) the production company provides a certificate of insurance covering the production:

SENATE VERSION

SECTION 1. Subchapter A, Chapter 2165, Government Code, is amended by adding Section 2165.008 to read as follows:

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(1) "Office" means the Music, Film, Television, and Multimedia Office.

(2) "Production company" means a film production company, television production company, or film and television production company.

(b) A state agency or other state governmental entity shall allow a production company to use any state building or grounds under the agency's or other entity's charge and control to produce a film, national broadcast, episodic television series, or commercial that is approved by the office and the agency or other entity under Subsection (c).

(c) The office shall review each proposal by a production company to use a state building or grounds.

The office may approve a proposal, subject to the final approval of the state agency or other state governmental entity that occupies the building or uses the grounds, if:

(1) the office and the state agency or other state governmental entity that occupies the building or uses the grounds determine, after the office consults with each agency or entity, that the use will not significantly interfere with the conduct of state business;

(2) the production company provides a certificate of insurance covering the production:

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(A) in an amount required by the office; and
(B) that names the state as an insured; and
(3) the proposal is to produce:
(A) a film, national broadcast, or episodic television series with a total production cost of \$250,000 or more;
or
(B) a commercial with a total production cost of \$100,000 or more.
(d) The office shall supervise each use of a state building or grounds by a production company.

(e) The office shall determine the fee to be charged for each day that a state building or grounds are used by a production company. The office may allow each state building or grounds to be used without charge, other than the reimbursement of expenses under Subsection (f), for seven days during each state fiscal year and may determine the allocation of those days. Fees collected under this subsection shall be deposited to the credit of the general revenue fund.

(f) The production company shall reimburse:
(1) a state agency or other state governmental entity for any cost incurred by the agency or other entity as a result of the use of a state building or grounds by the company; and
(2) the state agency or other state governmental entity having charge and control of a state building or grounds for the cost of repairing damage to the building or

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(A) in an amount required by the office; and
(B) that names the state as an insured; and
(3) the proposal is to produce:
(A) a film, national broadcast, or episodic television series with a total production cost of \$250,000 or more;
or
(B) a commercial with a total production cost of \$100,000 or more.
(d) The office shall supervise each use of a state building or grounds by a production company **subject to the control and final authority of the state agency or other state governmental entity that occupies the building or uses the grounds.**

(e) The office shall determine the fee to be charged for each day that a state building or grounds are used by a production company. The office may allow each state building or grounds to be used without charge, other than the reimbursement of expenses under Subsection (f), for seven days during each state fiscal year and may determine the allocation of those days. Fees collected under this subsection shall be deposited to the credit of the general revenue fund.

(f) The production company shall reimburse:
(1) a state agency or other state governmental entity for any cost incurred by the agency or other entity as a result of the use of a state building or grounds by the company; and
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grounds resulting from use by the company.
(g) A state agency or other state governmental entity shall notify the production company in writing of any cost subject to reimbursement under Subsection (f). The production company shall reimburse the cost not later than the 21st day after the date on which it receives notice from the agency or other entity.

SECTION 2. This Act takes effect September 1, 2007.

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grounds resulting from use by the company.
(g) A state agency or other state governmental entity shall notify the production company in writing of any cost subject to reimbursement under Subsection (f). The production company shall reimburse the cost not later than the 21st day after the date on which it receives notice from the agency or other entity.

Same as House version.

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