

BILL ANALYSIS

H.B. 1266
By: Darby
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The 74th Legislature authorized Angelo State University, then part of the Texas State University System, to enter into a joint association with the City of San Angelo, and the San Angelo Museum of Fine Arts to construct a new facility for an educational center and museum. The new building opened to the public in September of 1999.

The bill allows the board of regents of the Texas Tech University System to transfer the San Angelo Museum of Fine Arts to a nonprofit organization that will continue to use the property for public and educational purposes, and continue to keep the museum open to the public.

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

House Bill 1266 amends the Education Code to allow the board of regents of the Texas Tech University System to transfer title to the real property and improvements of the San Angelo Museum of Fine Arts to a nonprofit organization if, before transferring title, the board of regents holds a public meeting that meets certain public notice requirements and at which the transfer is an agenda item. The bill requires that the board of regents, before transferring title, determine that the transfer will serve the interests of the university and the public; and at the time of the transfer, the university does not require the entirety of the real property or improvements for educational purposes. The bill requires the board of regents to also determine that the nonprofit organization has demonstrated, to the satisfaction of the board of regents, that the organization intends to continue to use the real property and improvements for public purposes, including educational purposes; and keep the museum open to the public on a frequent and regular basis.

The bill provides that in order to make a transfer under this bill, the chairman of the board of regents shall execute a deed transferring title to the real property and improvements of the San Angelo Museum of Fine Arts to the nonprofit organization. The bill provides that the deed must cite the authorization by the board of regents to make the transfer; and provide that title to the real property and improvements reverts to the Texas Tech University System if the nonprofit organization discontinues using the real property or improvements for public purposes as required by the deed or executes a document that purports to convey title.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2009.