

BILL ANALYSIS

S.B. 1900
By: Seliger
Culture, Recreation & Tourism
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Legislature established the Texas cultural endowment fund in 1993 to provide a sustaining source of funding for the Texas Commission on the Arts. However, a lack of consistent legislative funding and contributions from private donors has limited the fund's growth. The fund does not provide for the majority of the agency's appropriation needs as intended.

S.B. 1900 abolishes the Texas cultural endowment fund, resulting in a one-time revenue gain to be transferred to the Texas Commission on the Art's operating fund, subject to donor restrictions, to ensure the money's use for the arts.

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

S.B. 1900 amends the Government Code to abolish the Texas cultural endowment fund on December 1, 2009. The bill requires the Texas Commission on the Arts, in consultation with interested stakeholders, to review, before December 1, 2009, donor restrictions on donations to the endowment fund to determine if the donations may be transferred to the Texas Commission on the Arts operating fund. The bill establishes that on December 1, 2009, the money in the endowment fund, including any interest or income earned before that date, that is not subject to donor restrictions prohibiting the transfer, is transferred to the operating fund. The bill establishes that on December 1, 2009, the money in the endowment fund, including any interest or income earned before that date, that is subject to donor restrictions prohibiting a transfer to the operating fund, is returned to the donor. The bill prohibits money transferred to the operating fund under the bill's provisions from being used to reduce or eliminate appropriations to the commission for the fiscal biennium beginning September 1, 2009. The bill makes conforming changes.

S.B. 1900 repeals Sections 444.026 and 444.028, Government Code, relating to the Texas cultural endowment fund and its investment and management.

EFFECTIVE DATE

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