

1-1 By: Seliger S.B. No. 1900
1-2 (In the Senate - Filed March 12, 2009; March 24, 2009, read
1-3 first time and referred to Committee on Administration;
1-4 April 8, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 0; April 8, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1900 By: Whitmire

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the abolition of the Texas cultural endowment fund.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Subsections (a), (b), and (i), Section 444.025,
1-13 Government Code, are amended to read as follows:
1-14 (a) The commission may accept on behalf of the state
1-15 donations of money, property, and art objects as it determines best
1-16 further the orderly development of the artistic resources of the
1-17 state. Money [~~Except as provided by Subsection (b), money~~] paid to
1-18 the commission under this chapter shall be deposited in the Texas
1-19 Commission on the Arts operating [~~cultural endowment~~] fund.
1-20 (b) The commission may solicit donations from an
1-21 appropriate source. [~~A person may designate a donation as intended~~
1-22 ~~for the Texas cultural endowment fund or the Texas Commission on the~~
1-23 ~~Arts operating fund. If the person designates that a donation is~~
1-24 ~~intended for a specific fund, the donation shall be deposited in the~~
1-25 ~~designated fund.~~]
1-26 (i) All money paid to the commission under this chapter [~~,~~
1-27 ~~other than money required to be deposited in the Texas cultural~~
1-28 ~~endowment fund,~~] is subject to Subchapter F, Chapter 404.
1-29 SECTION 2. Subsection (c), Section 444.032, Government
1-30 Code, is amended to read as follows:
1-31 (c) All proceeds from the sale of compact discs under the
1-32 project shall be deposited in the Texas Commission on the Arts
1-33 operating [~~cultural endowment~~] fund under Section 444.027
1-34 [~~444.026~~].
1-35 SECTION 3. Sections 444.026 and 444.028, Government Code,
1-36 are repealed.
1-37 SECTION 4. (a) Before December 1, 2009, the Texas
1-38 Commission on the Arts, in consultation with interested
1-39 stakeholders, shall review donor restrictions on donations to the
1-40 Texas cultural endowment fund to determine if the donations may be
1-41 transferred to the Texas Commission on the Arts operating fund.
1-42 (b) On December 1, 2009:
1-43 (1) the Texas cultural endowment fund is abolished;
1-44 (2) the money, including any interest or income earned
1-45 before December 1, 2009, in the Texas cultural endowment fund that
1-46 is not subject to donor restrictions prohibiting the transfer is
1-47 transferred to the Texas Commission on the Arts operating fund; and
1-48 (3) the money, including any interest or income earned
1-49 before December 1, 2009, in the Texas cultural endowment fund that
1-50 is subject to donor restrictions prohibiting a transfer to the
1-51 Texas Commission on the Arts operating fund is returned to the
1-52 donor.
1-53 (c) Money transferred under Subdivision (2), Subsection (b)
1-54 of this section may not be used to reduce or eliminate
1-55 appropriations made for the fiscal biennium beginning September 1,
1-56 2009, to the Texas Commission on the Arts.
1-57 SECTION 5. This Act takes effect immediately if it receives
1-58 a vote of two-thirds of all the members elected to each house, as
1-59 provided by Section 39, Article III, Texas Constitution. If this
1-60 Act does not receive the vote necessary for immediate effect, this
1-61 Act takes effect September 1, 2009.

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