

By: King of Parker

H.B. No. 2664

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the abolition of the Texas Facilities Commission and  
3 the transfer of its duties to the comptroller, General Land Office,  
4 and State Preservation Board.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 466.104(b), Government Code, is amended  
7 to read as follows:

8 (b) The comptroller may request assistance from the General  
9 Land Office [~~Texas Facilities Commission~~] in performing its  
10 facilities-related duties under this section.

11 SECTION 2. Section 571.061(a), Government Code, is amended  
12 to read as follows:

13 (a) The commission shall administer and enforce:

14 (1) Chapters 302, 303, 305, 572, and 2004;

15 (2) Subchapter C, Chapter 159, Local Government Code,  
16 in connection with a county judicial officer, as defined by Section  
17 159.051, Local Government Code, who elects to file a financial  
18 statement with the commission;

19 (3) Title 15, Election Code; and

20 (4) Section [~~Sections 2152.064 and~~] 2155.003.

21 SECTION 3. Section 571.091(a), Government Code, is amended  
22 to read as follows:

23 (a) The commission shall prepare a written opinion  
24 answering the request of a person subject to any of the following

1 laws for an opinion about the application of any of these laws to  
2 the person in regard to a specified existing or hypothetical  
3 factual situation:

- 4 (1) Chapter 302;
- 5 (2) Chapter 303;
- 6 (3) Chapter 305;
- 7 (4) Chapter 2004;
- 8 (5) Chapter 572;
- 9 (6) Subchapter C, Chapter 159, Local Government Code,  
10 as provided by Section 571.061(a)(2);
- 11 (7) Title 15, Election Code;
- 12 (8) Chapter 36, Penal Code;
- 13 (9) Chapter 39, Penal Code; or
- 14 (10) [~~Section 2152.064; or~~
- 15 [~~(11)~~] Section 2155.003.

16 SECTION 4. Section 572.003(c), Government Code, is amended  
17 to read as follows:

- 18 (c) The term means a member of:
- 19 (1) the Public Utility Commission of Texas;
  - 20 (2) the Texas Department of Economic Development;
  - 21 (3) the Texas Commission on Environmental Quality;
  - 22 (4) the Texas Alcoholic Beverage Commission;
  - 23 (5) The Finance Commission of Texas;
  - 24 (6) [~~the Texas Facilities Commission;~~
  - 25 [~~(7)~~] the Texas Board of Criminal Justice;
  - 26 (7) [~~(8)~~] the board of trustees of the Employees  
27 Retirement System of Texas;

- 1           (8) [~~(9)~~] the Texas Transportation Commission;
- 2           (9) [~~(10)~~] ~~the Texas Workers' Compensation Commission;~~
- 3           ~~[(11)]~~ the Texas Department of Insurance;
- 4           (10) [~~(12)~~] the Parks and Wildlife Commission;
- 5           (11) [~~(13)~~] the Public Safety Commission;
- 6           (12) [~~(14)~~] the Texas Ethics Commission;
- 7           (13) [~~(15)~~] the State Securities Board;
- 8           (14) [~~(16)~~] the Texas Water Development Board;
- 9           (15) [~~(17)~~] the governing board of a public senior
- 10 college or university as defined by Section 61.003, Education Code,
- 11 or of The University of Texas Southwestern Medical Center at
- 12 Dallas, The University of Texas Medical Branch at Galveston, The
- 13 University of Texas Health Science Center at Houston, The
- 14 University of Texas Health Science Center at San Antonio, The
- 15 University of Texas System M. D. Anderson Cancer Center, The
- 16 University of Texas Health Science Center at Tyler, University of
- 17 North Texas Health Science Center at Fort Worth, Texas Tech
- 18 University Health Sciences Center, Texas State Technical
- 19 College--Harlingen, Texas State Technical College--Marshall, Texas
- 20 State Technical College--Sweetwater, or Texas State Technical
- 21 College--Waco;
- 22           (16) [~~(18)~~] the Texas Higher Education Coordinating
- 23 Board;
- 24           (17) [~~(19)~~] the Texas Workforce Commission;
- 25           (18) [~~(21)~~] the board of trustees of the Teacher
- 26 Retirement System of Texas;
- 27           (19) [~~(22)~~] the Credit Union Commission;

- 1           (20) [~~(23)~~] the School Land Board;
- 2           (21) [~~(24)~~] the board of the Texas Department of  
3 Housing and Community Affairs;
- 4           (22) [~~(25)~~] the Texas Racing Commission;
- 5           (23) [~~(26)~~] the State Board of Dental Examiners;
- 6           (24) [~~(27)~~] the Texas Medical [~~State~~] Board [~~of~~  
7 ~~Medical Examiners~~];
- 8           (25) [~~(28)~~] the Board of Pardons and Paroles;
- 9           (26) [~~(29)~~] the Texas State Board of Pharmacy;
- 10          (27) [~~(30)~~] the Department of Information Resources  
11 governing board;
- 12          (28) [~~(31)~~] the Motor Vehicle Board;
- 13          (29) [~~(32)~~] the Texas Real Estate Commission;
- 14          (30) [~~(33)~~] the board of directors of the State Bar of  
15 Texas;
- 16          (31) [~~(34)~~] the bond review board;
- 17          (32) [~~(35)~~] the [~~Texas Board of~~] Health and Human  
18 Services Commission;
- 19          (33) [~~(36)~~] ~~the Texas Board of Mental Health and Mental~~  
20 ~~Retardation~~;
- 21          ~~[(37)] the Texas Board on Aging;~~
- 22          ~~[(38)] the Texas Board of Human Services;~~
- 23          ~~[(39)]~~ the Texas Funeral Service Commission;
- 24          (34) [~~(40)~~] the board of directors of a river  
25 authority created under the Texas Constitution or a statute of this  
26 state; or
- 27          (35) [~~(41)~~] the Texas Lottery Commission.

1           SECTION 5. Section 659.301(5), Government Code, is amended  
2 to read as follows:

3                   (5) "State employee" means an individual who:

4                           (A) is a commissioned law enforcement officer of  
5 the Department of Public Safety, the General Land Office [~~Texas~~  
6 ~~Facilities Commission~~], the Texas Alcoholic Beverage Commission,  
7 or the Texas Department of Criminal Justice;

8                           (B) is a commissioned security officer of the  
9 comptroller;

10                          (C) is a law enforcement officer commissioned by  
11 the Parks and Wildlife Commission;

12                          (D) is a commissioned peace officer of an  
13 institution of higher education;

14                          (E) is an employee or official of the Board of  
15 Pardons and Paroles or the parole division of the Texas Department  
16 of Criminal Justice if the employee or official has routine direct  
17 contact with inmates of any penal or correctional institution or  
18 with administratively released prisoners subject to the board's  
19 jurisdiction;

20                          (F) has been certified to the Employees  
21 Retirement System of Texas under Section 815.505 as having begun  
22 employment as a law enforcement officer or custodial officer,  
23 unless the individual has been certified to the system as having  
24 ceased employment as a law enforcement officer or custodial  
25 officer; or

26                          (G) before May 29, 1987, received hazardous duty  
27 pay based on the terms of any state law if the individual holds a

1 position designated under that law as eligible for the pay.

2 SECTION 6. Section 663.001(3), Government Code, is amended  
3 to read as follows:

4 (3) "Commission" means the commissioner of the General  
5 Land Office [~~Texas Facilities Commission~~].

6 SECTION 7. Section 2151.003, Government Code, is amended to  
7 read as follows:

8 Sec. 2151.003. REFERENCE. A statutory reference to the  
9 General Services Commission, the State Board of Control, the State  
10 Purchasing and General Services Commission, or the Texas Building  
11 and Procurement Commission means:

12 (1) the commissioner of the General Land Office [~~Texas~~  
13 ~~Facilities Commission~~] if the statutory reference concerns:

14 (A) charge and control of state buildings,  
15 grounds, or property;

16 (B) maintenance or repair of state buildings,  
17 grounds, or property;

18 (C) construction of a state building;

19 (D) purchase or lease of state buildings,  
20 grounds, or property by or for the state; or

21 (E) child care services for state employees under  
22 Chapter 663; [~~or~~

23 [~~(F) surplus and salvage property,~~] and

24 (2) the comptroller in all other circumstances, except  
25 as otherwise provided by law.

26 SECTION 8. Section 2151.004(c), Government Code, is amended  
27 to read as follows:

1 (c) The commissioner of the General Land Office [~~Texas~~  
2 ~~Facilities Commission~~] retains the powers and duties of the former  
3 Texas Building and Procurement Commission relating to charge and  
4 control of state buildings, grounds, or property, maintenance or  
5 repair of state buildings, grounds, or property, child care  
6 services for state employees under Chapter 663, [~~surplus and~~  
7 ~~salvage property,~~] construction of a state building, or purchase or  
8 lease of state buildings, grounds, or property by or for the state.

9 SECTION 9. Section 2151.0041(c), Government Code, is  
10 amended to read as follows:

11 (c) Unless otherwise provided by the legislature by law, on  
12 September 1, 2013:

13 (1) the powers and duties transferred to the  
14 comptroller under Section 2151.004(d) and under House Bill 3560,  
15 Acts of the 80th Legislature, Regular Session, 2007, are  
16 transferred to the commissioner of the General Land Office [~~Texas~~  
17 ~~Facilities Commission~~];

18 (2) a reference in law to the comptroller relating to a  
19 power or duty transferred under this subsection means the  
20 commissioner of the General Land Office [~~Texas Facilities~~  
21 ~~Commission~~];

22 (3) a rule or form adopted by the comptroller relating  
23 to a power or duty transferred under this subsection is a rule or  
24 form of the commissioner of the General Land Office [~~Texas~~  
25 ~~Facilities Commission~~] and remains in effect until altered by the  
26 commission;

27 (4) all obligations, contracts, proceedings, cases,

1 negotiations, funds, and employees of the comptroller relating to a  
2 power or duty transferred under this subsection are transferred to  
3 the commissioner of the General Land Office [~~Texas Facilities~~  
4 ~~Commission~~];

5 (5) all property and records in the custody of the  
6 comptroller relating to a power or duty transferred under this  
7 subsection and all funds appropriated by the legislature for  
8 purposes related to a power or duty transferred under this  
9 subsection are transferred to the commissioner of the General Land  
10 Office [~~Texas Facilities Commission~~]; and

11 (6) Section 122.0011, Human Resources Code, and the  
12 following provisions of the Government Code expire:

- 13 (A) Sections 2151.004(c) and (d);  
14 (B) Section 2155.0011;  
15 (C) Section 2155.086;  
16 (D) Section 2155.087;  
17 (E) Section 2156.0011;  
18 (F) Section 2157.0011;  
19 (G) Section 2158.0011;  
20 (H) Section 2161.0011;  
21 (I) Section 2163.0011;  
22 (J) Section 2170.0011;  
23 (K) Section 2171.0011;  
24 (L) Section 2172.0011;  
25 (M) Section 2176.0011; and  
26 (N) Section 2262.0011.

27 SECTION 10. Section 2155.087(b), Government Code, is



1 amended to read as follows:

2 (b) The Statewide Procurement Advisory Council consists of  
3 the following four members or their designees:

4 (1) one member appointed by the governor;

5 (2) one member appointed by the commissioner of the  
6 General Land Office [~~Texas Facilities Commission~~];

7 (3) one member appointed by the Department of  
8 Information Resources; and

9 (4) one member appointed by the Legislative Budget  
10 Board.

11 SECTION 11. Section 2162.051(a), Government Code, is  
12 amended to read as follows:

13 (a) The State Council on Competitive Government consists of  
14 the following individuals or the individuals they designate:

15 (1) the governor;

16 (2) the lieutenant governor;

17 (3) the comptroller;

18 (4) the speaker of the house of representatives;

19 (5) [~~the presiding officer of the Texas Facilities~~  
20 ~~Commission~~];

21 [~~(6)~~] the commissioner of the Texas Workforce  
22 Commission representing labor; and

23 (6) [~~(7)~~] the land commissioner.

24 SECTION 12. Section 2165.0011, Government Code, is amended  
25 to read as follows:

26 Sec. 2165.0011. DEFINITION. In this chapter, "commission"  
27 means the commissioner of the General Land Office [~~Texas Facilities~~

1 ~~Commission~~].

2 SECTION 13. Section 2165.256(a), Government Code, is  
3 amended to read as follows:

4 (a) The State Cemetery Committee shall oversee all  
5 operations of the State Cemetery. The committee shall develop a  
6 budget for the operations of the State Preservation Board  
7 ~~[commission]~~ relating to the State Cemetery and determine the  
8 salary of employees of the State Preservation Board ~~[commission]~~  
9 whose duties primarily relate to the operation of the State  
10 Cemetery.

11 SECTION 14. Sections 2165.2561(a), (k), (l), (p), (q), (r),  
12 and (t), Government Code, are amended to read as follows:

13 (a) The State Cemetery Committee is composed of:

14 (1) three voting members appointed as follows:

15 (A) one member of the general public appointed by  
16 the governor;

17 (B) one member of the general public appointed by  
18 the governor from a list submitted by the lieutenant governor; and

19 (C) one member of the general public appointed by  
20 the governor from a list submitted by the speaker of the house of  
21 representatives; and

22 (2) three nonvoting advisory members appointed as  
23 follows:

24 (A) one employee of the Texas Historical  
25 Commission appointed by the executive director of the Texas  
26 Historical Commission;

27 (B) one employee of the State Preservation Board

1 [~~Texas Building and Procurement Commission~~] appointed by the  
2 executive director of the State Preservation Board [~~Texas Building~~  
3 ~~and Procurement Commission~~]; and

4 (C) one employee of the Parks and Wildlife  
5 Department appointed by the executive director of the Parks and  
6 Wildlife Department.

7 (k) The legislature shall separately appropriate money to  
8 the committee within the appropriations to the State Preservation  
9 Board [~~Texas Building and Procurement Commission~~] for all matters  
10 relating to the operation of the State Cemetery. Activities  
11 relating to maintenance of the State Cemetery grounds and monuments  
12 shall conform to guidelines for historic preservation submitted to  
13 the committee by the Texas Historical Commission.

14 (l) Funds appropriated to the State Preservation Board  
15 [~~Texas Building and Procurement Commission~~] may be transferred by  
16 interagency contract for the performance of, at the direction of  
17 the committee, an act related to the State Cemetery.

18 (p) If the executive director of the State Preservation  
19 Board [~~commission~~] has knowledge that a potential ground for  
20 removal exists, the executive director shall notify the presiding  
21 officer of the committee of the potential ground. The presiding  
22 officer shall then notify the governor and the attorney general  
23 that a potential ground for removal exists. If the potential ground  
24 for removal involves the presiding officer, the executive director  
25 shall notify the next highest ranking officer of the committee, who  
26 shall then notify the governor and the attorney general that a  
27 potential ground for removal exists.

1           (q) The executive director of the State Preservation Board  
2 [~~commission~~] or the executive director's designee shall provide to  
3 members of the committee, as often as necessary, information  
4 regarding the requirements for office under this chapter, including  
5 information regarding a person's responsibilities under applicable  
6 laws relating to standards of conduct for state officers.

7           (r) A person who is appointed to and qualifies for office as  
8 a member of the committee may not vote, deliberate, or be counted as  
9 a member in attendance at a meeting of the committee until the  
10 person completes a training program that complies with this  
11 subsection. The training program must provide the person with  
12 information regarding:

13                   (1) the legislation that created the State Cemetery  
14 and the State Cemetery Committee;

15                   (2) the programs operated by the committee;

16                   (3) the role and functions of the committee;

17                   (4) the rules of the committee, with an emphasis on any  
18 rules that relate to disciplinary and investigatory authority;

19                   (5) the current budget for the committee;

20                   (6) the results of the most recent formal audit of  
21 cemetery operations;

22                   (7) the requirements of:

23                           (A) the open meetings law, Chapter 551;

24                           (B) the public information law, Chapter 552;

25                           (C) the administrative procedure law, Chapter  
26 2001; and

27                           (D) other laws relating to public officials,

1 including conflict-of-interest laws; and

2 (8) any applicable ethics policies adopted by the  
3 State Preservation Board [~~commission~~], the committee, or the Texas  
4 Ethics Commission.

5 (t) The committee shall develop and implement policies that  
6 clearly separate the policymaking responsibilities of the  
7 committee and the management responsibilities of the executive  
8 director of the State Preservation Board [~~commission~~] and staff of  
9 the cemetery.

10 SECTION 15. Section 2166.001(1), Government Code, is  
11 amended to read as follows:

12 (1) "Commission" means the commissioner of the General  
13 Land Office [~~Texas Facilities Commission~~].

14 SECTION 16. Sections 2166.257(b) and (c), Government Code,  
15 are amended to read as follows:

16 (b) The money reserved under Subsection (a)(2) may be used  
17 only if:

18 (1) the design professional or contractor recommends  
19 and justifies the proposed contingency expenditures by submitting a  
20 change order request;

21 (2) the proposed change order request is approved by  
22 the design professional;

23 (3) the proposed change order request is approved by  
24 the using agency and the agency makes a formal request for the  
25 allocation of money from the contingency reserve; and

26 (4) the employee of the General Land Office  
27 responsible for [~~director of~~] facilities construction and space

1 management [~~appointed under Section 2152.104~~] investigates the  
2 nature of the change order and concurs in the necessity of the  
3 proposed expenditure or refuses to concur not later than the 15th  
4 day after the date of receiving the request.

5 (c) If the employee of the General Land Office responsible  
6 for [~~director of~~] facilities construction and space management  
7 refuses to concur in a proposed contingency expenditure, the using  
8 agency may appeal to the commission. The commission's findings are  
9 final. The commission shall adopt rules on the procedures for an  
10 appeal under this subsection.

11 SECTION 17. Section 2166.305(b), Government Code, is  
12 amended to read as follows:

13 (b) A committee appointed by the commission shall perform  
14 the review. The committee consists of:

15 (1) one individual appointed by the commissioner of  
16 the General Land Office [~~the director of facilities construction~~  
17 ~~and space management appointed under Section 2152.104~~], who serves  
18 as the presiding officer of the committee;

19 (2) six individuals appointed by the commission, one  
20 each from the lists of nominees submitted respectively by the:

21 (A) president of the Texas Society of Architects;

22 (B) president of the Texas Society of  
23 Professional Engineers;

24 (C) presiding officer of the Executive Council of  
25 the Texas Associated General Contractors Chapters;

26 (D) executive secretary of the Mechanical  
27 Contractors Associations of Texas, Incorporated;

1 (E) executive secretary of the Texas Building and  
2 Construction Trades Council; and

3 (F) president of the Associated Builders and  
4 Contractors of Texas;

5 (3) one individual appointed by the commission  
6 representing an institution of higher education, as defined by  
7 Section 61.003, Education Code;

8 (4) one individual appointed by the commission  
9 representing a state agency that has a substantial ongoing  
10 construction program;

11 (5) one individual appointed by the commission  
12 representing the attorney general's office;

13 (6) one individual appointed by the commission  
14 representing the interests of historically underutilized  
15 businesses; and

16 (7) two individuals appointed by the commission, each  
17 representing a different minority contractors association.

18 SECTION 18. Section 2167.0011, Government Code, is amended  
19 to read as follows:

20 Sec. 2167.0011. DEFINITION. In this chapter, "commission"  
21 means the commissioner of the General Land Office [~~Texas Facilities~~  
22 ~~Commission~~].

23 SECTION 19. Subchapter A, Chapter 2175, Government Code, is  
24 amended by adding Section 2175.0011 to read as follows:

25 Sec. 2175.0011. TRANSFER OF DUTIES; REFERENCE. (a) The  
26 powers and duties of the Texas Facilities Commission under this  
27 chapter are transferred to the comptroller.

1        (b) In this chapter, a reference to the commission means the  
2 comptroller.

3        SECTION 20. Section 2175.002, Government Code, is amended  
4 to read as follows:

5        Sec. 2175.002. ADMINISTRATION OF CHAPTER. The comptroller  
6 [~~commission's surplus and salvage property division~~] shall  
7 administer this chapter.

8        SECTION 21. Section 2175.122, Government Code, is amended  
9 to read as follows:

10       Sec. 2175.122. STATE AGENCY NOTICE TO [~~COMMISSION AND~~]  
11 COMPTROLLER. A state agency that determines it has surplus or  
12 salvage property shall inform the [~~commission and the~~] comptroller  
13 of the property's kind, number, location, condition, original cost  
14 or value, and date of acquisition.

15       SECTION 22. Section 2175.123(b), Government Code, is  
16 amended to read as follows:

17       (b) The state agency shall inform the [~~commission and the~~]  
18 comptroller of its determination.

19       SECTION 23. Section 2175.1825, Government Code, is amended  
20 to read as follows:

21       Sec. 2175.1825. ADVERTISING ON COMPTROLLER WEBSITE. Not  
22 later than the second day after the date the comptroller determines  
23 whether property is surplus or salvage under Section 2175.182(b)  
24 [~~receives notice from the commission under Section 2175.182(c)~~],  
25 the comptroller shall advertise the property's kind, number,  
26 location, and condition on the comptroller's website.

27       SECTION 24. Section 2175.190, Government Code, is amended



1 to read as follows:

2           Sec. 2175.190. REPORTING SALE; PROPERTY ACCOUNTING  
3 ADJUSTMENT. [~~(a)~~] On the sale by the comptroller [~~commission~~] of  
4 surplus or salvage property, the comptroller [~~commission~~] shall:

5           (1) report the property sold and the sale price to the  
6 state agency that owned the property; and

7           (2) if [~~to the comptroller.~~

8           [~~(b) If~~] property reported under this section is on the  
9 state property accounting system, [~~the comptroller shall~~] remove  
10 the property from the property accounting records.

11           SECTION 25. The following provisions of the Government Code  
12 are repealed:

- 13           (1) Section 551.0726;  
14           (2) Section 2175.001(1-a);  
15           (3) Section 2175.182(c); and  
16           (4) Chapter 2152.

17           SECTION 26. (a) The Texas Facilities Commission is  
18 abolished.

19           (b) The validity of an action taken by the Texas Facilities  
20 Commission before it is abolished is not affected by the abolition.

21           SECTION 27. (a) The following are transferred from the  
22 Texas Facilities Commission to the State Preservation Board:

23           (1) the powers, duties, functions, programs, and  
24 activities of the Texas Facilities Commission relating to the  
25 operation of the State Cemetery under Sections 2165.256 and  
26 2165.2561, Government Code;

27           (2) any obligations and contracts of the Texas

1 Facilities Commission that are directly related to implementing a  
2 power, duty, function, program, or activity transferred under this  
3 subsection; and

4           (3) all property and records in the custody of the  
5 Texas Facilities Commission that are related to a power, duty,  
6 function, program, or activity transferred under this subsection  
7 and all funds appropriated by the legislature for that power, duty,  
8 function, program, or activity.

9           (a-1) The following are transferred from the Texas  
10 Facilities Commission to the comptroller of public accounts:

11           (1) the powers, duties, functions, programs, and  
12 activities of the Texas Facilities Commission relating to surplus  
13 and salvage property under Chapter 2175, Government Code;

14           (2) any obligations and contracts of the Texas  
15 Facilities Commission that are directly related to implementing a  
16 power, duty, function, program, or activity transferred under this  
17 subsection; and

18           (3) all property and records in the custody of the  
19 Texas Facilities Commission that are related to a power, duty,  
20 function, program, or activity transferred under this subsection  
21 and all funds appropriated by the legislature for that power, duty,  
22 function, program, or activity.

23           (a-2) The following are transferred from the Texas  
24 Facilities Commission to the General Land Office:

25           (1) the powers, duties, functions, programs, and  
26 activities of the Texas Facilities Commission relating to charge  
27 and control of state buildings, grounds, or property, including

1 maintenance, construction, purchase, and lease of state buildings,  
2 grounds, or property, and child care services for state employees  
3 under Chapter 663, Government Code;

4 (2) any obligations and contracts of the Texas  
5 Facilities Commission that are directly related to implementing a  
6 power, duty, function, program, or activity transferred under this  
7 subsection; and

8 (3) all property and records in the custody of the  
9 Texas Facilities Commission that are related to a power, duty,  
10 function, program, or activity transferred under this subsection  
11 and all funds appropriated by the legislature for that power, duty,  
12 function, program, or activity.

13 (b) A rule, form, policy, procedure, or decision of the  
14 Texas Facilities Commission that is related to an activity  
15 described by Subsection (a) of this section continues in effect as a  
16 rule, form, policy, procedure, or decision of the State  
17 Preservation Board until superseded by an act of the State  
18 Preservation Board.

19 (b-1) A rule, form, policy, procedure, or decision of the  
20 Texas Facilities Commission that relates to a power, duty,  
21 function, program, or activity transferred under Subsection (a-1)  
22 of this section is a rule or form of the comptroller of public  
23 accounts and remains in effect until altered by the comptroller of  
24 public accounts.

25 (b-2) A rule, form, policy, procedure, or decision of the  
26 Texas Facilities Commission that is related to an activity  
27 transferred by Subsection (a-2) of this section continues in effect

1 as a rule, form, policy, procedure, or decision of the General Land  
2 Office until superseded by an act of the land commissioner or the  
3 land commissioner's designee.

4 (c) A reference in law to the Texas Facilities Commission  
5 that relates to a power, duty, function, program, or activity  
6 transferred under Subsection (a) of this section means the State  
7 Preservation Board.

8 (c-1) A reference in law to the Texas Facilities Commission  
9 that relates to a power, duty, function, program, or activity  
10 transferred under Subsection (a-1) of this section means the  
11 comptroller of public accounts.

12 (c-2) A reference in law to the Texas Facilities Commission  
13 that relates to a power, duty, function, program, or activity  
14 transferred under Subsection (a-2) of this section means the  
15 commissioner of the General Land Office.

16 (d) A court case, administrative proceeding, contract  
17 negotiation, or other proceeding involving the Texas Facilities  
18 Commission that is related to an activity described by Subsection  
19 (a) of this section is transferred without change in status to the  
20 State Preservation Board, and the State Preservation Board assumes,  
21 without a change in status, the position of the Texas Facilities  
22 Commission in a negotiation or proceeding relating to an activity  
23 transferred by this Act to the State Preservation Board to which the  
24 Texas Facilities Commission is a party.

25 (d-1) A court case, administrative proceeding, contract  
26 negotiation, or other proceeding involving the Texas Facilities  
27 Commission that is related to an activity described by Subsection

1 (a-1) of this section is transferred without change in status to the  
2 comptroller, and the comptroller assumes, without a change in  
3 status, the position of the Texas Facilities Commission in a  
4 negotiation or proceeding relating to an activity transferred by  
5 this Act to the comptroller to which the Texas Facilities  
6 Commission is a party.

7 (d-2) A court case, administrative proceeding, contract  
8 negotiation, or other proceeding involving the Texas Facilities  
9 Commission relating to an activity transferred by Subsection (a-2)  
10 of this section is transferred without change in status to the  
11 General Land Office, and the General Land Office assumes, without a  
12 change in status, the position of the Texas Facilities Commission  
13 in a negotiation or proceeding to which the Texas Facilities  
14 Commission is a party.

15 (e) All money, contracts, leases, rights, bonds, and  
16 obligations of the Texas Facilities Commission related to an  
17 activity described by Subsection (a) of this section are  
18 transferred to the State Preservation Board.

19 (e-1) All money, contracts, leases, rights, bonds, and  
20 obligations of the Texas Facilities Commission related to an  
21 activity described by Subsection (a-1) of this section are  
22 transferred to the comptroller.

23 (e-2) All money, contracts, leases, rights, bonds, and  
24 obligations of the Texas Facilities Commission related to an  
25 activity transferred by Subsection (a-2) of this section are  
26 transferred to the General Land Office.

27 (f) All personal property, including records, in the

1 custody of the Texas Facilities Commission related to an activity  
2 described by Subsection (a) of this section becomes the property of  
3 the State Preservation Board.

4 (f-1) All personal property, including records, in the  
5 custody of the Texas Facilities Commission related to an activity  
6 described by Subsection (a-1) of this section becomes the property  
7 of the comptroller.

8 (f-2) All personal property, including records, in the  
9 custody of the Texas Facilities Commission related to an activity  
10 transferred by Subsection (a-2) of this section becomes the  
11 property of the General Land Office.

12 (g) All funds appropriated by the legislature to the Texas  
13 Facilities Commission for an activity described by Subsection (a)  
14 of this section, including funds for providing administrative  
15 support for those services, are transferred to the State  
16 Preservation Board.

17 (g-1) All funds appropriated by the legislature to the Texas  
18 Facilities Commission for an activity described by Subsection (a-1)  
19 of this section, including funds for providing administrative  
20 support for those services, are transferred to the comptroller.

21 (g-2) All funds appropriated by the legislature to the Texas  
22 Facilities Commission for an activity transferred by Subsection  
23 (a-2) of this section are transferred to the General Land Office.

24 SECTION 28. The comptroller, the State Preservation Board,  
25 the General Land Office, and the Texas Facilities Commission shall  
26 adopt a memorandum of understanding that identifies and allocates  
27 between the office of the comptroller, the State Preservation

1 Board, and the General Land Office the powers, duties, property,  
2 appropriations, and other items transferred under this Act. The  
3 memorandum of understanding must also:

4           (1) identify and allocate between the office of the  
5 comptroller, the State Preservation Board, and the General Land  
6 Office the real and personal property of the Texas Facilities  
7 Commission, including space in the central administrative offices  
8 of the commission, used to generally support the activities of the  
9 Texas Facilities Commission; and

10           (2) provide a timetable for any necessary or advisable  
11 movement of the physical location of property.

12           SECTION 29. This Act takes effect September 1, 2011.