

By: Guillen

H.B. No. 3726

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to an annual report of the private entity granted care and  
3 custody of the Alamo.

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

5 SECTION 1. Subtitle D, Title 4, Government Code, is amended  
6 by adding Chapter 450 to read as follows:

7 CHAPTER 450. ANNUAL REPORT OF THE CUSTODIAN  
8 OF THE ALAMO

9 Sec. 450.001. DEFINITION. In this chapter, "custodian"  
10 means the private entity:

11 (1) in whose care the state has placed the Alamo; and  
12 (2) on whom the state has imposed a duty to repair the  
13 Alamo and to maintain the Alamo in good order.

14 Sec. 450.002. ANNUAL REPORT REQUIRED. To provide  
15 transparency in the performance of duties as custodian, not later  
16 than December 1 of each year the custodian shall:

17 (1) prepare a financial accountability and general  
18 transparency report that covers the previous state fiscal year  
19 unless otherwise provided by this chapter; and

20 (2) submit a copy of the report to:

21 (A) the comptroller;

22 (B) the governor; and

23 (C) the Texas Historical Commission.

24 Sec. 450.003. CONTENT OF ANNUAL REPORT. The annual report

1 at a minimum must contain:

2 (1) copies of each independent audit or review of the  
3 financial activities of the custodian, including:

4 (A) financial activities related to the Alamo;  
5 and

6 (B) any recommendation, management letter, or  
7 report of the governing board related to the audit or review;

8 (2) copies of the annual operating budget for:

9 (A) the custodian; and

10 (B) the Alamo;

11 (3) documents that identify all financial institution  
12 accounts held in the name of the custodian or in which funds from  
13 the Alamo and all other property of the custodian, including  
14 museums and other general operations of the custodian, are or have  
15 been held;

16 (4) documents that identify all accounts into which  
17 income from operation of the Alamo, including income from gift shop  
18 and vending machine sales and donations, are deposited;

19 (5) copies of the annual general ledgers for the  
20 custodian, the Alamo, and all other property of the custodian;

21 (6) documents that identify the donor, amount, and  
22 date of each cash or noncash donation of more than \$2,500 made to  
23 the custodian, the Alamo, or any other property of the custodian,  
24 including a donation from an individual, estate, governmental  
25 entity, private foundation, fund, endowment, trust, or other  
26 charitable entity or public source of funds;

27 (7) copies of documents that describe the money spent

1 on inspections of the Alamo, including inspections by engineers,  
2 architects, planners, and consultants;

3 (8) copies of all contracts and agreements between the  
4 custodian and any person relating to the operations, management,  
5 maintenance, and preservation of the Alamo and all other property  
6 of the custodian;

7 (9) copies of all documents relating to permits sought  
8 by the custodian from the Texas Historical Commission, including  
9 applications for permits, permits issued, amendments or revisions  
10 to existing permits, and purchase orders and invoices for work  
11 performed on the Alamo;

12 (10) copies of all documents relating to any repair  
13 made to the Alamo or other property of the custodian, for which a  
14 permit from the Texas Historical Commission was not obtained,  
15 including purchase orders and invoices for work performed;

16 (11) copies of all contracts by and between the  
17 custodian and professional fund-raisers, public relations  
18 companies, and marketing companies; and

19 (12) a copy of the custodian's master plan for the  
20 Alamo and any revisions to the plan, including an explanation of the  
21 reason for the revision.

22 Sec. 450.004. RECORDS. (a) The custodian shall keep in its  
23 permanent records all receipts, purchase orders, invoices, expense  
24 reports, or other documents that support, describe, or explain the  
25 documents required under Sections 450.003(2) and (3).

26 (b) The information required under Subsection (a) shall on  
27 request be made available to the comptroller, governor, and Texas

1 Historical Commission.

2 SECTION 2. This Act takes effect September 1, 2011.