

By: Eltife
(Geren)

S.B. No. 1338

A BILL TO BE ENTITLED

AN ACT

relating to the membership, powers, and duties of the State
Preservation Board.

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

SECTION 1. Subsection (a), Section 443.0071, Government
Code, is amended to read as follows:

(a) A proposal to construct a building, monument, or other
improvement in the Capitol complex must be submitted to the board
for its review and comment at the earliest planning stages of any
such project [~~before contracts for the construction are executed~~].

SECTION 2. Subsection (a), Section 443.010, Government
Code, is amended to read as follows:

(a) The board and the employees of the board shall develop
plans and programs to solicit, and may solicit, gifts, money, and
items of value from private persons, foundations, or organizations.
Property provided by those entities and money donated to the board
become the property of the state and are under the control of the
board. The board shall use gifts of money made to the board for the
purpose specified by the grantor, if any. To the extent
practicable, the board shall use gifts of property made to the board
for the purpose specified by the grantor. The board may refuse a
gift if in the board's judgment the purpose specified by the grantor
conflicts with the goal of preserving the historic character of the
buildings under the board's control.

1 SECTION 3. Section 443.0103, Government Code, is amended by
2 adding Subsection (e) to read as follows:

3 (e) The board may transfer money from the capital renewal
4 trust fund to any account of the Capitol fund, provided that money
5 transferred shall only be used for the purposes outlined in
6 Subsection (b).

7 SECTION 4. Subsection (a), Section 443.019, Government
8 Code, is amended to read as follows:

9 (a) The board may require and collect a standardized deposit
10 from a person or entity that uses the Capitol or the grounds of the
11 Capitol for an event, exhibit, or other scheduled activity. The
12 deposit is in an amount set by the board designed to recover the
13 estimated direct and indirect costs to the state of the event,
14 exhibit, or activity. The board shall set the amounts of deposits
15 required under this section in a uniform and nondiscriminatory
16 manner for similar events, exhibits, or other scheduled activities.
17 The board may deduct from the deposit:

18 (1) the cost of damage to the Capitol or grounds of the
19 Capitol that directly results from the event, exhibit, or other
20 activity;

21 (2) the costs of [~~extra~~] labor, materials, and
22 utilities directly or indirectly attributable to the event,
23 exhibit, or other activity; and

24 (3) the costs of [~~extra~~] security requested by the
25 person or entity for the event, exhibit, or other activity.

26 SECTION 5. Chapter 443, Government Code, is amended by
27 adding Section 443.030 to read as follows:

1 Sec. 443.030. SUPPORT ORGANIZATIONS. The board may
2 establish, maintain, and participate in the operation of one or
3 more organizations of persons whose purpose is to raise funds for or
4 provide services or other benefits to the board. Such an
5 organization may be incorporated as a Texas nonprofit corporation.

6 SECTION 6. Section 443.003, Government Code, is amended by
7 adding Subsection (e) to read as follows:

8 (e) The governor, the lieutenant governor, and the speaker
9 of the house of representatives, as a member of the board, may
10 designate a representative to act, including the ability to vote,
11 on behalf of the member during a board meeting.

12 SECTION 7. Subsection (a), Section 443.004, Government
13 Code, is amended to read as follows:

14 (a) The governor or the governor's designee under Section
15 443.003(e) is chairman of the board.

16 SECTION 8. Subsection (e), Section 443.0101, Government
17 Code, is repealed.

18 SECTION 9. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2011.