

BILL ANALYSIS

Senate Research Center

S.B. 201
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Administration
7/3/2013
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The State Preservation Board (SPB) is responsible for preserving and maintaining the state's key historic buildings, such as the Capitol, the Governor's Mansion, and the Bob Bullock Texas State History Museum.

SPB is subject to the Sunset Act and will be abolished on September 1, 2013, unless continued by the legislature. The Sunset Advisory Commission found that the agency continues to be needed, but that its unique governance structure prevents SPB from meeting regularly to provide the level of direction and oversight typical of most other state agencies. Also, the roles and responsibilities for the management of the Bob Bullock Museum are not clearly defined in statute.

S.B. 201 continues the State Preservation Board for 12 years.

S.B. 201 allows certain SPB members to designate representatives to participate in SPB meetings. The bill authorizes SPB members with the greatest need for scheduling flexibility—the governor, lieutenant governor, and speaker of the house of representatives—to designate a representative to act on their behalf during board meetings, including the ability to vote. These board members would not be required to name a designee, but would have that option. They would always have the ability to attend any board meeting and vote in person.

S.B. 201 requires SPB to meet at least twice per year. Requiring SPB to meet at least twice per year would allow for more oversight of agency operations, particularly related to rulemaking, planning, budgeting, and internal audit practices, and provide for more transparency in governance.

S.B. 201 establishes the Bob Bullock museum director position in statute. Statutorily requiring the executive director to employ a museum director helps clarify responsibility for the management and operation of the museum.

S.B. 201 amends current law relating to the continuation and functions of the State Preservation Board.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the State Preservation Board is modified in SECTION 3 (Section 443.004, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 443.002, Government Code, to provide that unless continued in existence as provided by Chapter 325 (Texas Sunset Act), the State Preservation Board (SPB) is abolished and this chapter expires September 1, 2025, rather than September 1, 2013.

SECTION 2. Amends Section 443.003, Government Code, by adding Subsection (e), to authorize the governor, lieutenant governor, and speaker, as a member of SPB, to designate a representative to act, including the ability to vote, on behalf of the member during an SPB meeting.

SECTION 3. Amends Section 443.004(b), Government Code, to require SPB to meet at least twice each year and at other times at the call of the governor and as provided by SPB rules.

SECTION 4. Amends Chapter 443, Government Code, by adding Section 443.0295, as follows:

Sec. 443.0295. GOVERNOR'S MANSION RENEWAL TRUST FUND. (a) Provides that the Governor's Mansion renewal trust fund is created as a trust fund outside the treasury with the comptroller of public accounts of the State of Texas and is required to be administered by SPB, as a trustee on behalf of the people of this state, to maintain and preserve the Governor's Mansion. Provides that the fund consists of money transferred to the fund at the direction of the legislature, and money donated to SPB for the purposes of preserving and maintaining the Governor's Mansion.

(b) Authorizes money in the fund to be used only for the purpose of performing major repairs to or preserving the Governor's Mansion, as determined by SPB.

(c) Requires that the interest received from investment of money in the fund be credited to the fund.

SECTION 5. Amends Chapter 445, Government Code, by adding Sections 445.014 and 445.015, as follows:

Sec. 445.014. MUSEUM DIRECTOR. Requires the executive director of SPB to employ a museum director to manage and operate the Bob Bullock Texas State History Museum.

Sec. 445.015. NAMING OF MUSEUM AREAS. Requires SPB to adopt reasonable policies for naming areas within the museum, including rooms and exhibition halls, in honor of donors or other benefactors, if appropriate.

SECTION 6. Effective date: September 1, 2013.