

## BILL ANALYSIS

C.S.S.B. 201  
By: Birdwell  
Culture, Recreation & Tourism  
Committee Report (Substituted)

### BACKGROUND AND PURPOSE

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

The Preservation Board is subject to the Sunset Act and will be abolished on September 1, 2013, unless continued by the Legislature. As a result of its review of the State Preservation Board, the Sunset Advisory Commission recommended continuation of the agency and several statutory modifications that are contained in this legislation.

### RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### ANALYSIS

#### ***Allows certain Board members to designate representatives to act on their behalf.***

C.S.S.B. 201 authorizes the Governor, Lieutenant Governor, and Speaker to designate a representative to act on their behalf during board meetings, including the ability to vote.

#### ***Requires the Board to meet more frequently.***

C.S.S.B. 201 requires the State Preservation Board to meet at least twice each year.

#### ***Establishes the Governor's Mansion Renewal Trust Fund for maintenance and preservation of the Governor's Mansion.***

C.S.S.B. 201 creates the Governor's Mansion Renewal Trust Fund as a trust fund outside the treasury with the comptroller, and requires the State Preservation Board to administer the fund, as a trustee on behalf of the people of the state, to maintain and preserve the Governor's Mansion. C.S.S.B. 201 specifies that the fund consists of money transferred to the fund at the direction of the Legislature and money donated to the Board for preserving and maintaining the Governor's Mansion. The bill requires any interest received from investment of money in the fund to be credited to the fund. C.S.S.B. 201 specifies the money in the fund may be used only for performing major repairs to or preserving the Governor's Mansion, as determined by the Board.

#### ***Establishes the museum director position in statute.***

C.S.S.B. 201 requires the executive director to employ a museum director to manage and operate the Bob Bullock Texas State History Museum.

#### ***Requires the State Preservation Board to adopt reasonable policies for naming areas within the Bob Bullock Texas State History Museum.***

C.S.S.B. 201 requires the policies to allow for the naming of areas within the Museum, including rooms and exhibition halls, in honor of donors or other benefactors, if appropriate.

***Continues the State Preservation Board.***

C.S.S.B. 201 changes the date of the State Preservation Board's next Sunset review to 2025, continuing the agency for 12 years.

**EFFECTIVE DATE**

September 1, 2013.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.S.B. 201 may differ from the engrossed version in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

**SENATE ENGROSSED**

**HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Section 443.002, Government Code, is amended.

SECTION 1. Same as engrossed version.

SECTION 2. Section 443.003, Government Code, is amended.

SECTION 2. Substantially the same as engrossed version.

SECTION 3. Subsection (b), Section 443.004, Government Code, is amended.

SECTION 3. Same as engrossed version except for recitation.

SECTION 4. Section 443.0071, Government Code, is amended to read as follows:

No equivalent provision.

Sec. 443.0071. REVIEW OF CONSTRUCTION IN CAPITOL COMPLEX. (a) A proposal to construct a building, monument, or other improvement in the Capitol complex must be:

(1) consistent with Capitol complex design guidelines or standards adopted as part of a 1989 planning process or subsequently adopted based on a Capitol complex master plan; and

(2) submitted to the board for its review and comment at the earliest planning stages of any such project.

(b) Not later than the 60th day after the date the board receives final designs for a building in the Capitol complex, the board may by a public vote disapprove the project if the board determines that the project does not meet the requirements of Subsection (a)(1) or is not in the best interest of the state or of the Capitol complex.

(c) The project is considered to be approved by the board if the board does not hold the public vote authorized by Subsection (b) on or before the date required under that subsection.

(d) In this section, "Capitol complex" means the state-owned property within the area bounded on the north by Martin Luther King, Jr., Boulevard, bounded on the east by Trinity Street, bounded on the south by 10th Street, and bounded on the west by Lavaca Street.

SECTION 5. Chapter 443, Government Code, is amended.

SECTION 6. Chapter 445, Government Code, is amended.

SECTION 7. Chapter 445, Government Code, is amended.

SECTION 8. Subchapter F, Chapter 2165, Government Code, is amended by adding Section 2165.259 to read as follows:

Sec. 2165.259. SMOKING TOBACCO ON STATE CAPITOL GROUNDS. (a) In this section, "State Capitol grounds" has the meaning assigned by Section 2165.255.

(b) A person commits an offense if the person is in possession of a burning tobacco product or smokes tobacco on the State Capitol grounds.

(c) An offense under this section is a Class C misdemeanor.

(d) The State Preservation Board shall adopt rules on the enforcement and notification of this section.

SECTION 9. The State Preservation Board shall develop and conduct a study to evaluate the feasibility of establishing lactation suites in the Capitol Complex for breastfeeding mothers, specifically to facilitate their expressing breast milk.

SECTION 10. This Act takes effect September 1, 2013.

SECTION 4. Substantially the same as engrossed version.

SECTION 5. (part) Substantially the same as engrossed version.

SECTION 5. (part) Substantially the same as engrossed version.

No equivalent provision.

No equivalent provision.

SECTION 6. Same as engrossed version.