

BILL ANALYSIS

C.S.S.B. 770
By: Uresti
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that measures should be taken to maintain citizens' faith in their state government by eliminating any impropriety or appearance of impropriety relating to the naming of a public property after an elected official or a former elected official, unless such an official has served in an elective office for a great number of years. C.S.S.B. 770 seeks to place restrictions on the naming of certain governmental property after an elected official or a former elected official.

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

C.S.S.B. 770 amends the Government Code to prohibit real property, including a road, building, or other improvement to real property, owned by the state or a political subdivision of the state from being named after an elected official or a former elected official before the fifth anniversary of the date the elected official or former elected official last held elective office. The bill makes this provision inapplicable to elected officials who serve in an elective office for at least 40 years. The bill applies the prohibition to provisions relating to the Texas Facilities Commission's submission of names proposed for a new state building to be used as a state or regional headquarters by a state agency, or proposals to rename an existing state building used for such purposes, and to the commission's submission of names proposed for a state building that will be used as a local headquarters by a state agency.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.S.B. 770 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. Subsections (b) and (d), Section 2165.005, Government Code, are amended.	SECTION 1. Same as engrossed version.
SECTION 2. The heading to Chapter 2204,	SECTION 2. Same as engrossed version.

Government Code, is amended.

SECTION 3. Chapter 2204, Government Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. NAMING OF PUBLIC PROPERTY

Sec. 2204.751. DEFINITION.

Sec. 2204.752. PROHIBITED PRACTICE. Notwithstanding any other law, public property, or any part of public property, may not be named after an elected official or a former elected official before the fifth anniversary of the date the elected official or former elected official last held elective office.

No equivalent provision.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 3. Chapter 2204, Government Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. NAMING OF PUBLIC PROPERTY

Sec. 2204.751. DEFINITION.

Sec. 2204.752. PROHIBITED PRACTICE. Subject to Section 2204.753, public property, or any part of public property, may not be named after an elected official or a former elected official before the fifth anniversary of the date the elected official or former elected official last held elective office.

Sec. 2204.753. EXCLUDED PUBLIC SERVANTS. This subchapter does not apply to elected officials who serve in an elective office for at least 40 years.

SECTION 4. Same as engrossed version.