

By: Van de Putte

S.B. No. 1207

A BILL TO BE ENTITLED

AN ACT

relating to parking and the movement of vehicles in the Capitol complex.

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

SECTION 1. Section 411.063, Government Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (c-1) to read as follows:

(a) Except as provided by Subsection (a-1), the department ~~[The State Preservation Board]~~ shall adopt rules for the safe movement and the parking of vehicles in the Capitol Complex. Except as provided by Subsection (a-1), the ~~[The]~~ department shall administer and enforce ~~[the rules adopted by the preservation board and shall administer and enforce]~~ this subchapter ~~[. This subsection does not affect the authority of the department to adopt rules under Section 411.067].~~

(a-1) The State Preservation Board shall adopt rules for the safe movement and the parking of vehicles in parking areas under the charge and control of the preservation board. The department may administer and enforce the rules adopted by the preservation board under this subsection at the request of the preservation board. This subsection does not affect the authority of the department to adopt rules under Section 411.067.

(c-1) Rules adopted under Subsection (a) must include a provision that allows a state employee who works outside the

1 Capitol complex, as defined by Section 443.0071(b), and whose
2 presence at the Capitol is requested by a member of the legislature
3 or an elected official in the executive branch of state government
4 to park free of charge in a parking garage or parking lot in the
5 Capitol complex. This subsection does not apply to the parking
6 garage for visitors to the Capitol complex under Section
7 443.0151(a) or to a parking area under the charge and control of the
8 State Preservation Board.

9 SECTION 2. Subsection (a), Section 411.065, Government
10 Code, is amended to read as follows:

11 (a) A person commits an offense if the person violates a
12 rule of the department adopted under Section 411.062 or a rule of
13 the department or the State Preservation Board adopted under
14 Section 411.063.

15 SECTION 3. Section 2165.2035, Government Code, is amended
16 by adding Subsection (g-1) to read as follows:

17 (g-1) Any lease of a state-owned parking lot or garage in
18 the Capitol complex, as defined by Section 443.0071(b), under this
19 section must provide that a state employee whose presence at the
20 Capitol is requested by a member of the legislature or an elected
21 official in the executive branch of state government may park free
22 of charge in the lot or garage. This subsection does not apply to
23 the parking garage for visitors to the Capitol complex under
24 Section 443.0151(a).

25 SECTION 4. (a) On the effective date of this Act, rules of
26 the State Preservation Board adopted under Section 411.063,
27 Government Code, are transferred to the Department of Public Safety

1 of the State of Texas and are continued in effect until amended or
2 repealed by the Department of Public Safety. Rules of the State
3 Preservation Board adopted under Section 411.063, Government Code,
4 relating to parking areas under the charge and control of the
5 preservation board are continued in effect as rules of the
6 preservation board. As a result of the application of this
7 subsection, a rule may exist as a duplicate rule of the State
8 Preservation Board and the Department of Public Safety of the State
9 of Texas applicable to different areas on and after the effective
10 date of this Act.

11 (b) The Department of Public Safety of the State of Texas
12 shall adopt or amend rules, as applicable, as required by
13 Subsection (c-1), Section 411.063, Government Code, as added by
14 this Act, not later than October 1, 2013.

15 (c) Subsection (g-1), Section 2165.2035, Government Code,
16 as added by this Act, applies only to a lease entered into on or
17 after the effective date of this Act.

18 SECTION 5. The change in law made by this Act to Section
19 411.065, Government Code, applies only to an offense committed on
20 or after the effective date of this Act. An offense committed
21 before the effective date of this Act is governed by the law in
22 effect on the date the offense was committed, and the former law is
23 continued in effect for that purpose. For purposes of this section,
24 an offense was committed before the effective date of this Act if
25 any element of the offense occurred before that date.

26 SECTION 6. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2013.