

1-1 By: Van de Putte S.B. No. 1207
1-2 (In the Senate - Filed March 6, 2013; March 12, 2013, read
1-3 first time and referred to Committee on Government Organization;
1-4 April 22, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 22, 2013,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Zaffirini</u>	X		
1-10	<u>Schwertner</u>	X		
1-11	<u>Birdwell</u>	X		
1-12	<u>Garcia</u>	X		
1-13	<u>Paxton</u>	X		
1-14	<u>Rodriguez</u>	X		
1-15	<u>Taylor</u>	X		

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1207 By: Schwertner

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to parking and the movement of vehicles in the Capitol
1-20 complex.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 411.063, Government Code, is amended by
1-23 amending Subsection (a) and adding Subsections (a-1) and (c-1) to
1-24 read as follows:

1-25 (a) Except as provided by Subsection (a-1), the department
1-26 [The State Preservation Board] shall adopt rules for the safe
1-27 movement and the parking of vehicles in the Capitol Complex. Except
1-28 as provided by Subsection (a-1), the [The] department shall
1-29 administer and enforce [the rules adopted by the preservation board
1-30 and shall administer and enforce] this subchapter[. This
1-31 subsection does not affect the authority of the department to adopt
1-32 rules under Section 411.067].

1-33 (a-1) The State Preservation Board shall adopt rules for the
1-34 safe movement and the parking of vehicles in parking areas under the
1-35 charge and control of the preservation board. The department may
1-36 administer and enforce the rules adopted by the preservation board
1-37 under this subsection at the request of the preservation board.
1-38 This subsection does not affect the authority of the department to
1-39 adopt rules under Section 411.067.

1-40 (c-1) Rules adopted under Subsection (a) must include a
1-41 provision that allows a state employee who works outside the
1-42 Capitol complex, as defined by Section 443.0071(b), and whose
1-43 presence at the Capitol is requested by a member of the legislature
1-44 or an elected official in the executive branch of state government
1-45 to park free of charge in a parking garage or parking lot in the
1-46 Capitol complex. This subsection does not apply to the parking
1-47 garage for visitors to the Capitol complex under Section
1-48 443.0151(a) or to a parking area under the charge and control of the
1-49 State Preservation Board.

1-50 SECTION 2. Subsection (a), Section 411.065, Government
1-51 Code, is amended to read as follows:

1-52 (a) A person commits an offense if the person violates a
1-53 rule of the department adopted under Section 411.062 or a rule of
1-54 the department or the State Preservation Board adopted under
1-55 Section 411.063.

1-56 SECTION 3. Section 2165.2035, Government Code, is amended
1-57 by adding Subsection (g-1) to read as follows:

1-58 (g-1) Any lease of a state-owned parking lot or garage in
1-59 the Capitol complex, as defined by Section 443.0071(b), under this
1-60 section must provide that a state employee whose presence at the

2-1 Capitol is requested by a member of the legislature or an elected
2-2 official in the executive branch of state government may park free
2-3 of charge in the lot or garage. This subsection does not apply to
2-4 the parking garage for visitors to the Capitol complex under
2-5 Section 443.0151(a).

2-6 SECTION 4. (a) On the effective date of this Act, rules of
2-7 the State Preservation Board adopted under Section 411.063,
2-8 Government Code, are transferred to the Department of Public Safety
2-9 of the State of Texas and are continued in effect until amended or
2-10 repealed by the Department of Public Safety. Rules of the State
2-11 Preservation Board adopted under Section 411.063, Government Code,
2-12 relating to parking areas under the charge and control of the
2-13 preservation board are continued in effect as rules of the
2-14 preservation board. As a result of the application of this
2-15 subsection, a rule may exist as a duplicate rule of the State
2-16 Preservation Board and the Department of Public Safety of the State
2-17 of Texas applicable to different areas on and after the effective
2-18 date of this Act.

2-19 (b) The Department of Public Safety of the State of Texas
2-20 shall adopt or amend rules, as applicable, as required by
2-21 Subsection (c-1), Section 411.063, Government Code, as added by
2-22 this Act, not later than October 1, 2013.

2-23 (c) Subsection (g-1), Section 2165.2035, Government Code,
2-24 as added by this Act, applies only to a lease entered into on or
2-25 after the effective date of this Act.

2-26 SECTION 5. The change in law made by this Act to Section
2-27 411.065, Government Code, applies only to an offense committed on
2-28 or after the effective date of this Act. An offense committed
2-29 before the effective date of this Act is governed by the law in
2-30 effect on the date the offense was committed, and the former law is
2-31 continued in effect for that purpose. For purposes of this section,
2-32 an offense was committed before the effective date of this Act if
2-33 any element of the offense occurred before that date.

2-34 SECTION 6. This Act takes effect immediately if it receives
2-35 a vote of two-thirds of all the members elected to each house, as
2-36 provided by Section 39, Article III, Texas Constitution. If this
2-37 Act does not receive the vote necessary for immediate effect, this
2-38 Act takes effect September 1, 2013.

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