

1-1 By: Duncan S.B. No. 1457
1-2 (In the Senate - Filed March 7, 2013; March 18, 2013, read
1-3 first time and referred to Committee on Government Organization;
1-4 April 4, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 4, 2013,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Zaffirini	X			
1-10	Schwertner	X			
1-11	Birdwell	X			
1-12	Garcia	X			
1-13	Paxton	X			
1-14	Rodriguez	X			
1-15	Taylor	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1457 By: Garcia

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

1-19 relating to management services for the physical facilities of the
1-20 Texas School for the Blind and Visually Impaired and the Texas
1-21 School for the Deaf.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 30.022, Education Code, is amended by
1-24 amending Subsection (h) and adding Subsection (h-1) to read as
1-25 follows:

1-26 (h) Except as provided by Subsection (h-1), the [The] board
1-27 has [exclusive] jurisdiction over the physical assets of the school
1-28 and shall administer and spend appropriations made for the benefit
1-29 of the school.

1-30 (h-1) The Texas Facilities Commission shall provide
1-31 facilities maintenance services for the physical facilities of the
1-32 school, including facilities construction, cabling, facility
1-33 reconfiguration, and any other services as provided by a memorandum
1-34 of understanding between the board and the Texas Facilities
1-35 Commission.

1-36 SECTION 2. Section 30.052, Education Code, is amended by
1-37 amending Subsection (h) and adding Subsection (h-1) to read as
1-38 follows:

1-39 (h) Except as provided by Subsection (h-1), the [The] board
1-40 has [exclusive] jurisdiction over the physical assets of the school
1-41 and shall administer and spend appropriations to carry out the
1-42 purposes of the school as provided by Section 30.051.

1-43 (h-1) The Texas Facilities Commission shall provide
1-44 facilities maintenance services for the physical facilities of the
1-45 school, including facilities construction, cabling, facility
1-46 reconfiguration, and any other services as provided by a memorandum
1-47 of understanding between the board and the Texas Facilities
1-48 Commission.

1-49 SECTION 3. Subsection (b), Section 2165.007, Government
1-50 Code, is amended to read as follows:

1-51 (b) Notwithstanding any other law, the commission shall
1-52 provide facilities management services in relation to all state
1-53 agency facilities in Travis County or a county adjacent to Travis
1-54 County. The commission's duty does not apply to:

1-55 (1) a facility owned or operated by an institution of
1-56 higher education;

1-57 (2) military facilities;

1-58 (3) facilities owned or operated by the Texas
1-59 Department of Criminal Justice;

1-60 (4) facilities owned or operated by the Texas Juvenile

Justice Department [~~Youth Commission~~];

(5) facilities owned or operated by the Texas Department of Transportation;

(6) the Capitol, including the Capitol Extension, the General Land Office building, the Bob Bullock Texas State History Museum, any museum located on the Capitol grounds, the Governor's Mansion, and any property maintained by the Texas Historical Commission under Sections 442.0072 and 442.0073;

(7) a facility determined by the commission to be completely residential;

(8) a regional or field office of a state agency;

(9) a facility located within or on state park property;

(10) the property known as the Finance Commission Building described by deed recorded in Volume 5080, Page 1099, of the Deed Records of Travis County, Texas; [~~or~~]

(11) the property known as the Credit Union Department Building described by deed recorded in Volume 6126, Page 27, of the Deed Records of Travis County, Texas;

(12) facilities owned or operated by the Texas School for the Blind and Visually Impaired; or

(13) facilities owned or operated by the Texas School for the Deaf.

SECTION 4. (a) Not later than January 1, 2014, the following are transferred from the Texas School for the Blind and Visually Impaired to the Texas Facilities Commission:

(1) the powers, duties, functions, programs, and activities of the Texas School for the Blind and Visually Impaired relating to the maintenance of the school's physical facilities;

(2) any obligations and contracts of the Texas School for the Blind and Visually Impaired that are directly related to implementing a power, duty, function, program, or activity transferred under this subsection; and

(3) all property and records in the custody of the Texas School for the Blind and Visually Impaired that are related to a power, duty, function, program, or activity transferred under this subsection and all funds appropriated by the legislature for that power, duty, function, program, or activity.

(b) The Texas Facilities Commission and the Texas School for the Blind and Visually Impaired shall enter into a memorandum of understanding as provided by Subsection (h-1), Section 30.022, Education Code, as added by this Act, that:

(1) identifies in detail the applicable powers and duties that are transferred between the two agencies by this Act; and

(2) establishes a plan for the identification and transfer of the records, personnel, property, and unspent appropriations of the Texas School for the Blind and Visually Impaired that are used for purposes of the commission's powers and duties directly related to the maintenance of the school's physical facilities under Section 30.022, Education Code.

SECTION 5. (a) Not later than January 1, 2014, the following are transferred from the Texas School for the Deaf to the Texas Facilities Commission:

(1) the powers, duties, functions, programs, and activities of the Texas School for the Deaf relating to the maintenance of the school's physical facilities;

(2) any obligations and contracts of the Texas School for the Deaf that are directly related to implementing a power, duty, function, program, or activity transferred under this subsection; and

(3) all property and records in the custody of the Texas School for the Deaf that are related to a power, duty, function, program, or activity transferred under this subsection and all funds appropriated by the legislature for that power, duty, function, program, or activity.

(b) The Texas Facilities Commission and the Texas School for the Deaf shall enter into a memorandum of understanding as provided by Subsection (h-1), Section 30.052, Education Code, as added by

3-1 this Act, that:
3-2 (1) identifies in detail the applicable powers and
3-3 duties that are transferred between the two agencies by this Act;
3-4 and
3-5 (2) establishes a plan for the identification and
3-6 transfer of the records, personnel, property, and unspent
3-7 appropriations of the Texas School for the Deaf that are used for
3-8 purposes of the commission's powers and duties directly related to
3-9 the maintenance of the school's physical facilities under Section
3-10 30.052, Education Code.
3-11 SECTION 6. This Act takes effect September 1, 2013.

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