

By: Cyrier, Howard

H.B. No. 3810

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the transfer of jurisdiction over and management of the
3 property known as the French Legation to the Texas Historical
4 Commission and to certain historic sites under the commission's
5 jurisdiction.

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

7 SECTION 1. Section 442.072(a), Government Code, is amended
8 to read as follows:

9 (a) The following historic sites and parks [~~formerly under~~
10 ~~the jurisdiction of the Parks and Wildlife Department~~] are under
11 the commission's jurisdiction:

- 12 (1) Acton State Historic Site;
- 13 (2) Caddoan Mounds State Historic Site;
- 14 (3) Casa Navarro State Historic Site;
- 15 (4) Confederate Reunion Grounds State Historic Site;
- 16 (5) Eisenhower Birthplace State Historic Site;
- 17 (6) Fannin Battleground State Historic Site;
- 18 (7) Fort Griffin State Historic Site;
- 19 (8) Fort Lancaster State Historic Site;
- 20 (9) Fort McKavett State Historic Site;
- 21 (10) Fulton Mansion State Historic Site;
- 22 (11) Landmark Inn State Historic Site;
- 23 (12) Levi Jordan State Historic Site;
- 24 (13) Magoffin Home State Historic Site;

- 1 (14) Sabine Pass Battleground State Historic Site;
- 2 (15) Sam Bell Maxey House State Historic Site;
- 3 (16) San Felipe State Historic Site;
- 4 (17) Starr Family Home State Historic Site;
- 5 (18) Varner-Hogg Plantation State Historic Site;
- 6 (19) Sam Rayburn House State Historic Site;
- 7 (20) National Museum of the Pacific War;
- 8 (21) the property known as the French Legation; and
- 9 (22) Mission Dolores State Historic Site.

10 SECTION 2. Subchapter C, Chapter 442, Government Code, is
11 amended by adding Section 442.077 to read as follows:

12 Sec. 442.077. AGREEMENT RELATING TO FRENCH LEGATION. The
13 commission may enter into an agreement with the Daughters of the
14 Republic of Texas regarding the management, staffing, operation,
15 and financial support of the property known as the French Legation.

16 SECTION 3. Section 2165.257, Government Code, is
17 transferred to Subchapter C, Chapter 442, Government Code,
18 redesignated as Section 442.076, Government Code, and amended to
19 read as follows:

20 Sec. 442.076 [~~2165.257~~]. FRENCH LEGATION [~~EMBASSY~~]. (a)
21 The commission is responsible for:

22 (1) the preservation, maintenance, and restoration of
23 the [~~The~~] property known as the French Legation and its contents;
24 and

25 (2) the protection of the historical and architectural
26 integrity of the exterior, interior, and grounds of the French
27 Legation [~~Embassy is for the use and purposes of the Daughters of~~

1 ~~the Republic of Texas. They may take full charge of the building~~
2 ~~and use it as they consider proper].~~

3 (b) Any power or duty related to the French Legation
4 formerly vested in another state agency or entity is vested solely
5 in the commission.

6 (c) The commission may solicit and accept gifts, donations,
7 and grants of money or property from any public or private source to
8 be used for the purposes of this section.

9 (d) In carrying out the commission's responsibilities under
10 this section during the state fiscal biennium ending August 31,
11 2019, the commission may use only money or property received as a
12 gift, donation, or grant from a public or private source. This
13 subsection expires September 1, 2019 [~~The French Embassy is the~~
14 ~~property of the state, and title to the property remains in the~~
15 ~~commission's custody].~~

16 SECTION 4. The heading to Section 2203.003, Government
17 Code, is amended to read as follows:

18 Sec. 2203.003. STATE PROPERTY UNDER CONTROL OF THE TEXAS
19 DIVISION UNITED DAUGHTERS OF THE CONFEDERACY [~~TEXAS DIVISION, AND~~
20 ~~THE DAUGHTERS OF THE REPUBLIC OF TEXAS)].~~

21 SECTION 5. Section 2203.003(a), Government Code, is amended
22 to read as follows:

23 (a) The Texas Division United Daughters of the
24 Confederacy [~~TEXAS DIVISION, and the Daughters of the Republic of~~
25 ~~TEXAS each]~~ may charge admission to state property over which the
26 [~~each]~~ organization has custody or control.

27 SECTION 6. (a) On September 1, 2017, or as soon as

1 practicable after that date, the Daughters of the Republic of Texas
2 with assistance from the Texas Facilities Commission shall take a
3 complete inventory of all personal property and fixtures located at
4 the property known as the French Legation. The inventory must
5 identify the origin of each item and its current owner as agreed to
6 between the Daughters of the Republic of Texas and the Texas
7 Facilities Commission. The Daughters of the Republic of Texas shall
8 be allowed a reasonable time after completion of the inventory to
9 remove any personal property and fixtures owned by the
10 organization.

11 (b) Any dispute regarding the ownership of personal
12 property and fixtures located at the French Legation shall be
13 resolved through alternative dispute resolution as provided by
14 Chapter 2009, Government Code.

15 (c) The Daughters of the Republic of Texas may transfer any
16 property of the organization described by this section to the Texas
17 Historical Commission.

18 SECTION 7. On September 1, 2017, the following are
19 transferred to the Texas Historical Commission:

20 (1) all powers and duties of the Daughters of the
21 Republic of Texas relating to the property known as the French
22 Legation;

23 (2) all state-owned assets in the possession of the
24 Daughters of the Republic of Texas relating to the French Legation;
25 and

26 (3) all files and other records of the Daughters of the
27 Republic of Texas kept by the organization regarding the French

1 Legation.

2 SECTION 8. On September 1, 2017, the following are
3 transferred to the Texas Historical Commission:

4 (1) all powers and duties of the Texas Facilities
5 Commission relating to the property known as the French Legation
6 and its grounds;

7 (2) all files and other records of the Texas
8 Facilities Commission relating to the French Legation;

9 (3) all contracts of the Texas Facilities Commission
10 pertaining specifically to the French Legation and its grounds; and

11 (4) all funds appropriated to the Texas Facilities
12 Commission designated for the benefit of the French Legation.

13 SECTION 9. On September 1, 2017, the Daughters of the
14 Republic of Texas shall transfer any money held in trust by the
15 organization under Section [2203.003](#), Government Code, as amended by
16 this Act, in relation to the property known as the French Legation
17 to the Texas Historical Commission to be held in trust by the
18 commission for the purposes described by Section [442.076](#),
19 Government Code, as redesignated and amended by this Act.

20 SECTION 10. This Act takes effect September 1, 2017.