

## **BILL ANALYSIS**

Senate Research Center  
86R14068 YDB-D

S.B. 1400  
By: Campbell  
Natural Resources & Economic Development  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

For 80 years, the Alamo Cenotaph known as the "Spirit of Sacrifice" has stood across from the Alamo mission in San Antonio, providing visitors a solemn reminder of the high price paid for freedom. The Cenotaph (which literally means empty tomb) serves as a memorial to the brave fighters who took their last breaths there for Texas independence. There are 187 names of known Alamo defenders etched in stone, and descendants of these Texans can honor their legacy and read the names of ancestors who perished.

As the new Alamo Master Plan comes close to being finalized by the City of San Antonio, much discussion has revolved around the Cenotaph's future and whether or not it should be relocated. It is the intent of S.B. 1400 to preserve and protect Texas history by prohibiting the memorial from being moved from its current location without approval of three critical stakeholders: the commissioner of the General Land Office, the Texas Historical Commission, and the Daughters of the Republic of Texas. If consensus exists among these groups, the Cenotaph may then only be moved temporarily for repairs or to another permanent location within Alamo Plaza.

The focus of any visit to the Alamo should be on the defenders who gave their lives there. S.B. 1400 amends Chapter 2166 of Government Code to create clear guidelines related to the location, maintenance, and permanent preservation of the Alamo Cenotaph.

As proposed, S.B. 1400 amends current law relating to the location and maintenance of the Alamo Cenotaph and grants the power of eminent domain.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter K, Chapter 2166, Government Code, by adding Section 2166.5012, as follows:

Sec. 2166.5012. ALAMO CENOTAPH. (a) Defines "Alamo Cenotaph."

(b) Prohibits the Alamo Cenotaph, notwithstanding Subchapter I (Alamo Complex), Chapter 31, Natural Resources Code, or any other law, from being moved from the location where the cenotaph was first placed following its completion unless:

(1) the commissioner of the Texas General Land Office (GLO), the Texas Historical Commission, and the Daughters of the Republic of Texas approve the move; and

(2) the cenotaph is moved temporarily for repairs or permanently to a location within the Alamo Plaza.

(c) Grants GLO the power of eminent domain to acquire in the manner provided by Chapter 21 (Eminent Domain), Property Code, any property necessary to preserve, maintain, and repair the Alamo Cenotaph and to carry out the purposes of this section, including the acquisition of the cenotaph and the land immediately underneath and adjacent to the cenotaph.

SECTION 2. Effective date: September 1, 2019.