

BILL ANALYSIS

S.B. 2008
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Culture, Recreation & Tourism
Committee Report (Unamended)

BACKGROUND AND PURPOSE

When the San Jacinto Battleground State Historic Site was transferred to the Texas Historical Commission in 2019, the San Jacinto Museum and Battlefield Association entered into discussions with the commission regarding the historic site with the desire to build a stronger business operation and to support commission efforts. The association is a nonprofit historical association that has previously operated the San Jacinto Memorial Building and Tower and established the site's museum. The discussions concluded that unifying the management of the commission's and association's work at the historic site and the museum would result in a more effective business operation. S.B. 2008 seeks to enable closer coordination by providing for the respective responsibilities and powers of the commission and association with regard to the historic site.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Historical Commission in SECTION 1 of this bill.

ANALYSIS

S.B. 2008 amends the Government Code to require the Texas Historical Commission to designate the San Jacinto Museum and Battlefield Association, which was previously known as the San Jacinto Museum of History Association, as the entity responsible for operating the San Jacinto Memorial Building and Tower, operating the museum, engaging in related activities on the battleground at the San Jacinto Battleground State Historic Site, and providing financial support for the association's applicable responsibilities. The bill makes the commission responsible for maintaining and repairing the memorial building and tower and providing utilities required for operation of the memorial building and tower and related facilities.

S.B. 2008 authorizes the commission to enter into an agreement with the association for specified purposes and sets out the following regarding the association's duties and activities:

- authorizes the association, under the terms of an agreement with the commission and in connection with the association's activities regarding the memorial building and tower, the museum, and the San Jacinto Battleground, to charge and collect fees and to collect revenue from gift shop and concession sales;
- requires the association to hold, invest, manage, use, and apply money received from those fees and sales for the benefit of the historic site; and
- authorizes the association to exercise discretion, subject to the terms of the association's agreement with the commission, regarding business operations, exhibits, programing,

collection management, preservation, restoration and storage, and site development at the historic site.

S.B. 2008 authorizes the commission to appoint two nonvoting members to the association's board of trustees and to advise the association on specified matters. The bill makes the commission, in the event of the association's dissolution, the sole beneficiary of all items held in the association's name that relate to the revolutionary and battle history of the historic site and to early Texas settlement and culture, except as otherwise provided by the association's articles of incorporation or the terms of the gift or other transfer of the items to the association. The items for which the commission is not the sole beneficiary must be clearly identified and described on an agreed list prepared jointly by the commission and the association.

S.B. 2008 authorizes the commission to adopt rules to establish the following:

- guidelines under which the association may solicit and accept sponsorships or donations from private entities in connection with the association's activities at the historic site; and
- best practices under which the association may engage in applicable activities, including procurement guidelines for the use of state funds.

S.B. 2008 authorizes the commission to employ an executive manager to manage the business operations and direct staff at the historic site. The bill makes the executive manager responsible for managing the business operations of the historic site on behalf of the commission and the association. The executive manager's duties as they relate to the commission and the association must be specified in an agreement between the commission and the association. The bill authorizes the commission to hire employees the commission determines are necessary to fulfill the commission's duties and responsibilities related to the historic site. The employees report to the executive manager.

EFFECTIVE DATE

September 1, 2021.