S.B. No. 2008

AN ACT

relating to the San Jacinto Battleground State Historic Site; authorizing fees.

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

SECTION 1.  Section 442.252, Government Code, is amended to read as follows:

Sec. 442.252.  SAN JACINTO MUSEUM AND BATTLEFIELD [~~OF HISTORY~~] ASSOCIATION. (a) In this section, "association" means the [~~The~~] San Jacinto Museum and Battlefield [~~of History~~] Association, which was previously known as the San Jacinto Museum of History Association.

(b)  The association is a nonprofit historical association organized for the purposes of operating the San Jacinto Memorial Building and Tower and establishing a museum. The association[~~,~~] retains ownership of property and historical data held in the name of the association and may acquire museum accessions by gift, grant, or purchase from association funds.

(c)  The commission shall designate the 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 responsibilities under this section. The commission is responsible for maintaining and repairing the San Jacinto Memorial Building and Tower and providing utilities required for operation of the San Jacinto Memorial Building and Tower and related facilities.

(d)  The commission may enter into an agreement with the association for the purposes of:

(1)  expanding, renovating, managing, maintaining, operating, or providing financial support for the San Jacinto Battleground State Historic Site, including the administration and operation of a history museum and related activities in the San Jacinto Memorial Building and Tower or on the battleground;

(2)  maintaining, preserving, restoring, and protecting the historic San Jacinto battleground;

(3)  promoting and conducting archeological studies at the San Jacinto Battleground State Historic Site;

(4)  maintaining, repairing, renovating, restoring, improving, expanding, or equipping the San Jacinto Memorial Building and Tower, museum, or battleground for one or more projects, including construction of new or additional facilities;

(5)  designing and fabricating exhibits and preserving, storing, and displaying artifacts, historical data, and items of historical significance, including artifacts, data, and items owned or held by the association;

(6)  creating interpretive and educational programs;

(7)  acquiring additional artifacts, historical data, and items of historical significance relevant to the battle at San Jacinto, the Texas Revolution and the period in which it occurred, and early Texas settlement and culture; and

(8)  preserving, restoring, storing, and conserving artifacts, historical data, and items of historical significance.

(e)  Under the terms of an agreement with the commission, the association may, in connection with the association's activities regarding the San Jacinto Memorial Building and Tower, the museum, and the San Jacinto battleground, charge and collect fees, including entry fees and fees for viewing exhibits or films, attending programs or events, and utilizing the elevator or other facilities, and collect revenue from gift shop and concession sales. The association shall hold, invest, manage, use, and apply money received from those fees and sales for the benefit of the San Jacinto Battleground State Historic Site, and may 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 San Jacinto Battleground State Historic Site.

(f)  The commission may appoint two nonvoting members to the association's board of trustees. The commission may advise the association on museum operations, interpretation, history, preservation, archeology, education, nature, philanthropy, and business development.

(g)  In the event of the association's dissolution, the commission is the sole beneficiary of all items held in the association's name that relate to the revolutionary and battle history of the San Jacinto Battleground State 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.

(h)  The commission may adopt rules to establish:

(1)  guidelines under which the association may solicit and accept sponsorships or donations from private entities in connection with the association's activities at the San Jacinto Battleground State Historic Site; and

(2)  best practices under which the association may engage in activities described by this section, including procurement guidelines for the use of state funds.

SECTION 2.  Subchapter F, Chapter 442, Government Code, is amended by adding Section 442.253 to read as follows:

Sec. 442.253.  EXECUTIVE MANAGER; OTHER EMPLOYEES. (a) The commission may employ an executive manager to manage the business operations and direct staff at the San Jacinto Battleground State Historic Site.

(b)  The executive manager is responsible for managing the business operations of the San Jacinto Battleground State Historic Site on behalf of the commission and the San Jacinto Museum and Battlefield 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.

(c)  The commission may hire employees the commission determines are necessary to fulfill the commission's duties and responsibilities related to the San Jacinto Battleground State Historic Site. The employees report to the executive manager.

SECTION 3.  This Act takes effect September 1, 2021.

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I hereby certify that S.B. No. 2008 passed the Senate on April 29, 2021, by the following vote:  Yeas 31, Nays 0.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Secretary of the Senate

I hereby certify that S.B. No. 2008 passed the House on May 23, 2021, by the following vote:  Yeas 142, Nays 3, two present not voting.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Chief Clerk of the House

Approved:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_             Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_           Governor