

BILL ANALYSIS

C.S.H.B. 2719
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Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Sections of the Government Code related to the Texas Historical Commission's jurisdiction over historical sites and authority with respect to real property need to be updated. In addition, the commission currently lacks the ability to generate revenue through retail services. C.S.H.B. 2719 seeks to address these issues by updating the scope of the commission's jurisdiction over historic sites to include sites that it currently administers or acquires, ensuring that funds in the applicable dedicated account only go to benefit historic sites administered by the commission, and providing for the commission's authority to establish, manage, and operate certain retail establishments and provide retail services.

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

ANALYSIS

C.S.H.B. 2719 amends the Government Code to set out and revise provisions relating to the Texas Historical Commission's powers over historic sites in Texas. The bill authorizes the commission to purchase real property for inclusion in the historic sites system and provides for the expansion of the scope of the commission's jurisdiction over historic sites by removing the specified list of historic sites and parks considered to be under its jurisdiction and establishing as under its jurisdiction instead all real property in Texas that is significant to state history that the commission administers or acquires for public use.

C.S.H.B. 2719 authorizes the commission to establish, manage, and operate gift and souvenir retail establishments and provide retail services through the Internet or another electronic method to support and promote state historic sites and related commission goals. In doing so, the commission may take the following actions:

- employ necessary personnel;
- establish procurement standards and procedures in collaboration with the comptroller of public accounts and the Department of Information Resources to meet the business needs of the commission's retail operations; and
- contract with a nonprofit corporation to assist with the commission's retail operations, accept money from the retail operations, and support state historic site operations and commission educational missions.

C.S.H.B. 2719 establishes the Texas Historical Commission Retail Operations Fund as a special fund outside the state treasury that serves as a fund to be held and administered by the comptroller as directed by the commission to provide support for those retail operations. The bill provides that the fund consists of revenue from these operations and may not include appropriated money, and requires interest and income from the fund's assets to be credited to and deposited in the fund. The bill authorizes the fund's money to be spent without appropriation but restricts its use to expenditures that benefit state historic sites and support the retail operations, including paying personnel salaries, acquiring capital improvements, contracting for necessary services, and purchasing inventory, advertising, fixtures, computer software, and other necessary goods to support the retail operations.

C.S.H.B. 2719 increases from \$6 million to \$10 million the cap on the amount of a grant from the historic courthouse preservation fund for a historic courthouse project, which applies only if that cap is greater than two percent of the amount appropriated for implementing the historic courthouse preservation program during the given state fiscal biennium.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2719 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute omits a provision included in the introduced that exempted the retail operations of state historic sites from the Information Resources Management Act.

The substitute omits a specification included in the introduced that the Texas Historical Commission Retail Operations Fund established outside the state treasury is established as a trust fund and includes a prohibition absent from the introduced against the inclusion of appropriated money in the fund. Additionally, the substitute includes as an authorized use of money in the fund expenditures to benefit state historic sites, which was not included in the introduced.