

BILL ANALYSIS

C.S.H.B. 3835
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Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The U.S. Marines raising the United States flag on the island of Iwo Jima is one of the most famous acts of heroism in World War II. This act was initially captured in an iconic photo from the Associated Press which formed the basis for the U.S. Marine Corps War Memorial located in Washington, D.C. The original life-sized plaster model was gifted in 1981 to the Marine Military Academy in Harlingen, Texas, and it has served as an inspiration to the young cadets and as a source of pride for the region. The Marine Military Academy and the Texas Historical Commission have been in discussions about using a combination of public and private funds to expand the museum associated with the monument, enhance the visitor experience, preserve and display military documents, relics, and other historical items, and protect the monument itself. C.S.H.B. 3835 seeks to support these initiatives by authorizing the commission to enter into an agreement with the nonprofit entity that owns the Iwo Jima monument and museum to transfer to the commission operation and management of the monument and museum and by creating a fund for the support of the monument and museum.

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. 3835 amends the Government Code to authorize the Texas Historical Commission to enter into a contract with the nonprofit entity that owns the Iwo Jima monument and museum at the Marine Military Academy in Harlingen, Texas, to transfer to the commission the operation and management of the monument and museum. The contract must include provisions for the following:

- expanding, renovating, managing, maintaining, operating, or providing financial support for the monument and museum, including administration, construction and operation of a visitor center and related activities;
- preserving military documents, relics, and other items of historical interest;
- employing a museum director and other employees the commission considers necessary to fulfill its duties and responsibilities under the contract;
- accepting donations of money, property, and historical relics; and
- acquiring property and historical relics with funds available for that purpose.

C.S.H.B. 3835 establishes the Iwo Jima monument and museum fund as a fund outside the state treasury, consisting of admissions revenue from the operation of the monument and museum,

sales revenue from the operation of the monument and museum gift shop, and donations made to the commission for the monument and museum. The bill establishes that the commission must administer the fund but may contract with the nonprofit entity that owns the monument and museum to do so. The bill authorizes the money in the fund to be spent without legislative appropriation but only for the purposes of administering, operating, preserving, repairing, expanding, or otherwise maintaining the monument and museum. The bill requires the interest and income from the assets of the fund to be credited to and deposited in the fund.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

C.S.H.B. 3835 differs from the introduced in minor or nonsubstantive ways to make technical corrections.