

AN ACT

relating to the powers of the Texas Historical Commission over historic sites in this state.

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

SECTION 1. Section 442.0053, Government Code, is amended to read as follows:

Sec. 442.0053. ELIGIBILITY CRITERIA FOR INCLUSION OF REAL PROPERTY IN STATE HISTORIC SITES SYSTEM. (a) The commission by rule shall adopt criteria for determining the eligibility of real property [~~donated to the commission~~] for inclusion in the historic sites system.

(b) The commission may acquire by purchase or gift or in any other manner [~~accept a donation of~~] real property that satisfies the criteria adopted under Subsection (a).

(b-1) Before adding real property to the historic sites system under this section, the commission shall develop a funding plan for the restoration, interpretation, development, long-term operation, and preservation of the real property to be added to the historic sites system. The plan may provide for an endowment fund, or other sources of funding, as appropriate. The commission may not add the real property to the historic sites system unless there are adequate financial resources available or assured for the restoration, interpretation, development, long-term operation, and preservation of the real property.

1 (c) The commission may:

2 (1) renovate or restore [~~donated~~] real property
3 acquired under Subsection (b), including improvements to the
4 property; [~~7~~] or

5 (2) construct new improvements on the [~~donated~~] real
6 property as necessary and prudent.

7 SECTION 2. Section 442.0083(e), Government Code, is amended
8 to read as follows:

9 (e) A grant for a historic courthouse project may not exceed
10 the greater of \$10 [~~\$6~~] million or two percent of the amount
11 appropriated for implementing the historic courthouse preservation
12 program during the state fiscal biennium.

13 SECTION 3. The heading to Subchapter C, Chapter 442,
14 Government Code, is amended to read as follows:

15 SUBCHAPTER C. COMMISSION JURISDICTION OVER [~~CERTAIN~~]
16 HISTORIC SITES

17 SECTION 4. Section 442.071, Government Code, is amended to
18 read as follows:

19 Sec. 442.071. DEFINITION. In this subchapter, "historic
20 site" means:

21 (1) a site [~~or park~~] listed under Section 442.072; or
22 (2) real property significant to the history of this
23 state that the commission administers or acquires for use by the
24 public.

25 SECTION 5. Section 442.072, Government Code, is amended to
26 read as follows:

27 Sec. 442.072. COMMISSION JURISDICTION; AGREEMENTS FOR

1 HISTORIC SITES. (a) The following historic sites in this state
2 [~~and parks~~] are under the commission's jurisdiction:

- 3 (1) Acton State Historic Site;
- 4 (2) Caddoan Mounds State Historic Site;
- 5 (3) Casa Navarro State Historic Site;
- 6 (4) Confederate Reunion Grounds State Historic Site;
- 7 (5) Eisenhower Birthplace State Historic Site;
- 8 (6) Fannin Battleground State Historic Site;
- 9 (7) Fanthorp Inn State Historic Site;
- 10 (8) Fort Griffin State Historic Site;
- 11 (9) Fort Lancaster State Historic Site;
- 12 (10) Fort McKavett State Historic Site;
- 13 (11) Fulton Mansion State Historic Site;
- 14 (12) Landmark Inn State Historic Site;
- 15 (13) Levi Jordan State Historic Site;
- 16 (14) Lipantitlan State Historic Site;
- 17 (15) Magoffin Home State Historic Site;
- 18 (16) Mission Dolores State Historic Site;
- 19 (17) Monument Hill and Kreishe Brewery State Historic
20 Sites;
- 21 (18) National Museum of the Pacific War;
- 22 (19) Sabine Pass Battleground State Historic Site;
- 23 (20) Sam Bell Maxey House State Historic Site;
- 24 (21) Sam Rayburn House State Historic Site;
- 25 (22) San Felipe State Historic Site;
- 26 (23) Starr Family Home State Historic Site;
- 27 (24) Varner-Hogg Plantation State Historic Site;

1 (25) Washington-on-the-Brazos State Historic Site;
2 and

3 (26) the property known as the French Legation.

4 (b) ~~[This subsection applies to a historic site that the~~
5 ~~state is required to operate in a particular manner or for a~~
6 ~~particular purpose, such as a site improved with federal money~~
7 ~~subject to federal restrictions on the purposes for which the~~
8 ~~improved site may be used or a site donated to the state subject to a~~
9 ~~reversion clause providing that the title reverts to the grantor~~
10 ~~when the site is not used for the purposes for which it was~~
11 ~~acquired. The commission has all powers necessary to operate the~~
12 ~~site in the required manner or for the required purpose.~~

13 ~~[(c)]~~ The commission may enter into an agreement with a
14 nonprofit or for-profit corporation, foundation, association, or
15 other nonprofit or for-profit entity for the expansion, renovation,
16 management, operation, or financial support of a historic site.

17 SECTION 6. Subchapter D, Chapter 442, Government Code, is
18 amended by adding Sections 442.112 and 442.113 to read as follows:

19 Sec. 442.112. STATE HISTORIC SITE RETAIL OPERATIONS. (a)
20 The commission may establish, manage, and operate gift and souvenir
21 retail establishments and provide retail services through the
22 Internet or another electronic method to support and promote state
23 historic sites and related commission goals.

24 (b) To implement this section, the commission may:

25 (1) employ necessary personnel;

26 (2) establish procurement standards and procedures in
27 collaboration with the comptroller and the Department of

1 Information Resources to meet the business needs of the
2 commission's retail operations; and

3 (3) contract with a nonprofit corporation to assist
4 with the commission's retail operations, accept money from the
5 retail operations, and support state historic site operations and
6 commission educational missions.

7 Sec. 442.113. TEXAS HISTORICAL COMMISSION RETAIL
8 OPERATIONS FUND. (a) The Texas Historical Commission retail
9 operations fund is a special fund established outside the state
10 treasury as a fund to be held and administered by the comptroller as
11 directed by the commission to provide support for commission retail
12 operations under Section 442.112. The fund consists of revenue
13 from commission retail operations and may not include appropriated
14 money.

15 (b) Interest and income from assets of the fund shall be
16 credited to and deposited in the fund.

17 (c) Money in the fund may be spent without appropriation and
18 be used only to benefit state historic sites and to support the
19 commission's retail operations, including to pay personnel
20 salaries, acquire capital improvements, contract for necessary
21 services, and purchase inventory, advertising, fixtures, computer
22 software, and other goods necessary to support the retail
23 operations.

24 SECTION 7. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 2719 was passed by the House on April 20, 2023, by the following vote: Yeas 145, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2719 on May 19, 2023, by the following vote: Yeas 137, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2719 was passed by the Senate, with amendments, on May 17, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor