

By: Zaffirini

S.B. No. 1451

A BILL TO BE ENTITLED

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).

(c) The commission may:

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

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

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

(e) A grant for a historic courthouse project may not exceed the greater of \$10 ~~[\$6]~~ million or two percent of the amount

1 appropriated for implementing the historic courthouse preservation
2 program during the state fiscal biennium.

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

5 SUBCHAPTER C. COMMISSION JURISDICTION OVER ~~[CERTAIN]~~
6 HISTORIC SITES

7 SECTION 4. Section 442.071, Government Code, is amended to
8 read as follows:

9 Sec. 442.071. DEFINITION. In this subchapter, "historic
10 site" means real property significant to the history of this state
11 that the commission administers or acquires for use by the public [~~a~~
12 ~~site or park listed under Section 442.072~~].

13 SECTION 5. Section 442.072, Government Code, is amended to
14 read as follows:

15 Sec. 442.072. COMMISSION JURISDICTION; AGREEMENTS FOR
16 HISTORIC SITES. (a) The commission has jurisdiction over
17 [~~following~~] historic sites in this state [~~and parks are under the~~
18 ~~commission's jurisdiction.~~

- 19 [~~(1) Acton State Historic Site,~~
20 [~~(2) Caddoan Mounds State Historic Site,~~
21 [~~(3) Casa Navarro State Historic Site,~~
22 [~~(4) Confederate Reunion Grounds State Historic Site,~~
23 [~~(5) Eisenhower Birthplace State Historic Site,~~
24 [~~(6) Fannin Battleground State Historic Site,~~
25 [~~(7) Fanthorp Inn State Historic Site,~~
26 [~~(8) Fort Griffin State Historic Site,~~
27 [~~(9) Fort Lancaster State Historic Site,~~

- 1 ~~[(10) Fort McKavett State Historic Site,~~
- 2 ~~[(11) Fulton Mansion State Historic Site,~~
- 3 ~~[(12) Landmark Inn State Historic Site,~~
- 4 ~~[(13) Levi Jordan State Historic Site,~~
- 5 ~~[(14) Lipantitlan State Historic Site,~~
- 6 ~~[(15) Magoffin Home State Historic Site,~~
- 7 ~~[(16) Mission Dolores State Historic Site,~~
- 8 ~~[(17) Monument Hill and Kreische Brewery State~~
- 9 ~~Historic Sites,~~
- 10 ~~[(18) National Museum of the Pacific War,~~
- 11 ~~[(19) Sabine Pass Battleground State Historic Site,~~
- 12 ~~[(20) Sam Bell Maxey House State Historic Site,~~
- 13 ~~[(21) Sam Rayburn House State Historic Site,~~
- 14 ~~[(22) San Felipe State Historic Site,~~
- 15 ~~[(23) Starr Family Home State Historic Site,~~
- 16 ~~[(24) Varner-Hogg Plantation State Historic Site,~~
- 17 ~~[(25) Washington-on-the-Brazos State Historic Site,~~
- 18 ~~and~~
- 19 ~~[(26) the property known as the French Legation].~~

20 ~~(b) [This subsection applies to a historic site that the~~

21 ~~state is required to operate in a particular manner or for a~~

22 ~~particular purpose, such as a site improved with federal money~~

23 ~~subject to federal restrictions on the purposes for which the~~

24 ~~improved site may be used or a site donated to the state subject to a~~

25 ~~reversion clause providing that the title reverts to the grantor~~

26 ~~when the site is not used for the purposes for which it was~~

27 ~~acquired. The commission has all powers necessary to operate the~~

1 ~~site in the required manner or for the required purpose.~~

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

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

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

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

14 (1) employ necessary personnel;

15 (2) establish procurement standards and procedures in
16 collaboration with the comptroller and the Department of
17 Information Resources to meet the business needs of the
18 commission's retail operations; and

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

23 (c) Chapter 2054 does not apply to retail operations
24 described by this section.

25 Sec. 442.113. TEXAS HISTORICAL COMMISSION RETAIL
26 OPERATIONS FUND. (a) The Texas Historical Commission retail
27 operations fund is a special fund established outside the state

1 treasury as a trust fund to be held and administered by the
2 comptroller as directed by the commission to provide support for
3 commission retail operations under Section 442.112. The fund
4 consists of revenue from commission retail operations.

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

7 (c) Money in the fund may be spent without appropriation and
8 be used only to support the commission's retail operations,
9 including to pay personnel salaries, acquire capital improvements,
10 contract for necessary services, and purchase inventory,
11 advertising, fixtures, computer software, and other goods
12 necessary to support the retail operations.

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