

1-1 By: Zaffirini S.B. No. 1451
1-2 (In the Senate - Filed March 2, 2023; March 16, 2023, read
1-3 first time and referred to Committee on Natural Resources &
1-4 Economic Development; April 20, 2023, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 8,
1-6 Nays 0; April 20, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Birdwell</u>	X		
1-10	<u>Zaffirini</u>	X		
1-11	<u>Alvarado</u>	X		
1-12	<u>Blanco</u>		X	
1-13	<u>Hancock</u>	X		
1-14	<u>Hughes</u>	X		
1-15	<u>Kolkhorst</u>	X		
1-16	<u>Miles</u>	X		
1-17	<u>Sparks</u>	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1451 By: Zaffirini

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the powers of the Texas Historical Commission over
1-22 historic sites in this state.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 442.0053, Government Code, is amended to
1-25 read as follows:

1-26 Sec. 442.0053. ELIGIBILITY CRITERIA FOR INCLUSION OF REAL
1-27 PROPERTY IN STATE HISTORIC SITES SYSTEM. (a) The commission by
1-28 rule shall adopt criteria for determining the eligibility of real
1-29 property [~~donated to the commission~~] for inclusion in the historic
1-30 sites system.

1-31 (b) The commission may acquire by purchase or gift or in any
1-32 other manner [~~accept a donation of~~] real property that satisfies
1-33 the criteria adopted under Subsection (a).

1-34 (b-1) Before adding real property to the historic sites
1-35 system under this section, the commission shall develop a funding
1-36 plan for the restoration, interpretation, development, long-term
1-37 operation, and preservation of the real property to be added to the
1-38 historic sites system. The plan may provide for an endowment fund,
1-39 or other sources of funding, as appropriate. The commission may not
1-40 add the real property to the historic sites system unless there are
1-41 adequate financial resources available or assured for the
1-42 restoration, interpretation, development, long-term operation, and
1-43 preservation of the real property.

1-44 (c) The commission may:

1-45 (1) renovate or restore [~~donated~~] real property
1-46 acquired under Subsection (b), including improvements to the
1-47 property; [7] or

1-48 (2) construct new improvements on the [~~donated~~] real
1-49 property as necessary and prudent.

1-50 SECTION 2. Section 442.0083(e), Government Code, is amended
1-51 to read as follows:

1-52 (e) A grant for a historic courthouse project may not exceed
1-53 the greater of \$10 [~~\$6~~] million or two percent of the amount
1-54 appropriated for implementing the historic courthouse preservation
1-55 program during the state fiscal biennium.

1-56 SECTION 3. The heading to Subchapter C, Chapter 442,
1-57 Government Code, is amended to read as follows:

1-58 SUBCHAPTER C. COMMISSION JURISDICTION OVER [~~CERTAIN~~]

1-59 HISTORIC SITES

1-60 SECTION 4. Section 442.071, Government Code, is amended to

2-1 read as follows:

2-2 Sec. 442.071. DEFINITION. In this subchapter, "historic
2-3 site" means:

- 2-4 (1) a site ~~[or park]~~ listed under Section 442.072; or
- 2-5 (2) real property significant to the history of this
- 2-6 state that the commission administers or acquires for use by the
- 2-7 public.

2-8 SECTION 5. Section 442.072, Government Code, is amended to
2-9 read as follows:

2-10 Sec. 442.072. COMMISSION JURISDICTION; AGREEMENTS FOR
2-11 HISTORIC SITES. (a) The following historic sites in this state
2-12 [and parks] are under the commission's jurisdiction:

- 2-13 (1) Acton State Historic Site;
- 2-14 (2) Caddoan Mounds State Historic Site;
- 2-15 (3) Casa Navarro State Historic Site;
- 2-16 (4) Confederate Reunion Grounds State Historic Site;
- 2-17 (5) Eisenhower Birthplace State Historic Site;
- 2-18 (6) Fannin Battleground State Historic Site;
- 2-19 (7) Fanthorp Inn State Historic Site;
- 2-20 (8) Fort Griffin State Historic Site;
- 2-21 (9) Fort Lancaster State Historic Site;
- 2-22 (10) Fort McKavett State Historic Site;
- 2-23 (11) Fulton Mansion State Historic Site;
- 2-24 (12) Landmark Inn State Historic Site;
- 2-25 (13) Levi Jordan State Historic Site;
- 2-26 (14) Lipantitlan State Historic Site;
- 2-27 (15) Magoffin Home State Historic Site;
- 2-28 (16) Mission Dolores State Historic Site;
- 2-29 (17) Monument Hill and Kreische Brewery State Historic
- 2-30 Sites;
- 2-31 (18) National Museum of the Pacific War;
- 2-32 (19) Sabine Pass Battleground State Historic Site;
- 2-33 (20) Sam Bell Maxey House State Historic Site;
- 2-34 (21) Sam Rayburn House State Historic Site;
- 2-35 (22) San Felipe State Historic Site;
- 2-36 (23) Starr Family Home State Historic Site;
- 2-37 (24) Varner-Hogg Plantation State Historic Site;
- 2-38 (25) Washington-on-the-Brazos State Historic Site;

2-39 and
2-40 (26) the property known as the French Legation.

2-41 (b) ~~[This subsection applies to a historic site that the~~
2-42 ~~state is required to operate in a particular manner or for a~~
2-43 ~~particular purpose, such as a site improved with federal money~~
2-44 ~~subject to federal restrictions on the purposes for which the~~
2-45 ~~improved site may be used or a site donated to the state subject to a~~
2-46 ~~reversion clause providing that the title reverts to the grantor~~
2-47 ~~when the site is not used for the purposes for which it was~~
2-48 ~~acquired. The commission has all powers necessary to operate the~~
2-49 ~~site in the required manner or for the required purpose.~~

2-50 ~~[(c)]~~ The commission may enter into an agreement with a
2-51 nonprofit or for-profit corporation, foundation, association, or
2-52 other nonprofit or for-profit entity for the expansion, renovation,
2-53 management, operation, or financial support of a historic site.

2-54 SECTION 6. Subchapter D, Chapter 442, Government Code, is
2-55 amended by adding Sections 442.112 and 442.113 to read as follows:

2-56 Sec. 442.112. STATE HISTORIC SITE RETAIL OPERATIONS. (a)
2-57 The commission may establish, manage, and operate gift and souvenir
2-58 retail establishments and provide retail services through the
2-59 Internet or another electronic method to support and promote state
2-60 historic sites and related commission goals.

2-61 (b) To implement this section, the commission may:

- 2-62 (1) employ necessary personnel;
- 2-63 (2) establish procurement standards and procedures in
2-64 collaboration with the comptroller and the Department of
2-65 Information Resources to meet the business needs of the
2-66 commission's retail operations; and
- 2-67 (3) contract with a nonprofit corporation to assist
2-68 with the commission's retail operations, accept money from the
2-69 retail operations, and support state historic site operations and

3-1 commission educational missions.

3-2 Sec. 442.113. TEXAS HISTORICAL COMMISSION RETAIL
3-3 OPERATIONS FUND. (a) The Texas Historical Commission retail
3-4 operations fund is a special fund established outside the state
3-5 treasury as a fund to be held and administered by the comptroller as
3-6 directed by the commission to provide support for commission retail
3-7 operations under Section 442.112. The fund consists of revenue
3-8 from commission retail operations and may not include appropriated
3-9 money.

3-10 (b) Interest and income from assets of the fund shall be
3-11 credited to and deposited in the fund.

3-12 (c) Money in the fund may be spent without appropriation and
3-13 be used only to benefit state historic sites and to support the
3-14 commission's retail operations, including to pay personnel
3-15 salaries, acquire capital improvements, contract for necessary
3-16 services, and purchase inventory, advertising, fixtures, computer
3-17 software, and other goods necessary to support the retail
3-18 operations.

3-19 SECTION 7. This Act takes effect September 1, 2023.

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