

## **BILL ANALYSIS**

C.S.H.B. 1397  
By: Harris  
Culture, Recreation & Tourism  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

On February 24, 1836, William B. Travis, with the garrison surrounded and the Texan Army at the Alamo outnumbered, wrote one of the most famous letters in American history addressed "To the People of Texas and All Americans in the World." This letter was a passionate plea for aid for the Alamo garrison and ended with "Victory or Death." Currently, the victory or death letter is in the care and custody of the Texas State Library and Archives Commission (TSLAC), and on very few occasions has been escorted by the Department of Public Safety to the Alamo Grounds for display to the people of Texas and the world. In June 2023, Governor Greg Abbott signed into law the more than \$400 million appropriations request contained within the state budget for the Alamo Plan, supporting the comprehensive restoration and revitalization efforts of the Alamo and the opening of a state-of-the art Alamo Visitor Center and Museum. The bill author has informed the committee that, with the Alamo Plaza under renovation to commemorate and remember the Battle of the Alamo and its legacy, it would be appropriate to bring the victory or death letter home to its place of origin. C.S.H.B. 1397 seeks to address this issue by establishing that TSLAC is responsible for the care and custody of the Texas Constitution, the Texas Declaration of Independence, and the victory or death letter, and by requiring TSLAC to designate an appropriate place in the Alamo Complex to securely transfer and display the letter.

### **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. 1397 amends the Government Code to establish that the Texas State Library and Archives Commission (TSLAC) is responsible for the care and custody of the Texas Constitution, the Texas Declaration of Independence, and the victory or death letter written by Lieutenant Colonel William B. Travis dated February 24, 1836, and signed "Victory or Death." The bill requires TSLAC to designate an appropriate place in the Alamo complex for the secure display of the victory or death letter and, on the Texas Historical Commission's determination that the transfer to and display of the letter at the Alamo complex is safe and appropriate, to transfer the letter to that location for display. The bill requires TSLAC, until TSLAC designates an appropriate place in the Alamo complex to display the victory or death letter and in collaboration with the Texas Historical Commission determines an appropriate time to securely transfer the letter to that place, to display the letter in the public location at the Capitol Complex at which the Texas Constitution and the Texas Declaration of Independence are displayed. The

bill requires TSLAC to collaborate with the Texas Historical Commission and State Preservation Board (SPB) to determine an appropriate public location at the Capitol Complex for the secure display of the Texas Constitution and the Texas Declaration of Independence.

C.S.H.B. 1397 requires costs attributable to the display of the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence to be paid by TSLAC, using money available to TSLAC for that purpose.

### **EFFECTIVE DATE**

September 1, 2025.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 1397 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.

While the introduced established in the Natural Resources Code that the General Land Office (GLO) is responsible for the care and custody of the victory or death letter, the substitute establishes in the Government Code that TSLAC is responsible for the care and custody of the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence. The substitute revises the introduced version's requirement for the GLO to designate an appropriate place in the Alamo complex for the storage and display of the victory or death letter as follows:

- changes the applicability of the requirement from the GLO to TSLAC;
- changes the requirement to designate an appropriate place in the Alamo complex for the storage and display of the letter, as in the introduced, to a requirement to designate an appropriate place in the Alamo complex for the secure display of the letter; and
- includes a requirement for TSLAC, on the Texas Historical Commission's determination that the transfer to and display of the letter at the Alamo complex is safe and appropriate, to transfer the letter to that location for display.

Accordingly, the substitute omits the introduced version's provision establishing that any power or duty related to the letter formerly vested in another state agency or entity is vested solely in the GLO.

The substitute includes the following requirements that were not in the introduced:

- for TSLAC, until TSLAC designates an appropriate place in the Alamo complex to display the victory or death letter and in collaboration with the Texas Historical Commission determines an appropriate time to securely transfer the letter to that place, to display the letter in the public location at the Capitol Complex at which the Texas Constitution and the Texas Declaration of Independence are displayed;
- for TSLAC to collaborate with the Texas Historical Commission and SPB to determine an appropriate public location at the Capitol Complex for the secure display of the Texas Constitution and the Texas Declaration of Independence; and
- for costs attributable to the display of the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence to be paid by TSLAC, using money available to TSLAC for that purpose.