

BILL ANALYSIS

C.S.H.B. 5032
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Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas State Library and Archives Commission (TSLAC) serves as the steward of the state's most sacred founding documents: the Texas Declaration of Independence, the Texas Constitution, and the "Victory or Death" letter written by Lt. Col. William Barret Travis on February 24, 1836. The bill author has informed the committee that all Texans should have the opportunity to view these historic documents in a safe and secure public setting, and that the planning and execution of this public display should be a coordinated effort among TSLAC, the State Preservation Board (SPB), and the Texas Historical Commission. C.S.H.B. 5032 would require TSLAC, in collaboration with SPB and the Texas Historical Commission, to develop a plan to display the Texas Constitution and the Texas Declaration of Independence in the Capitol Complex. The bill would also require the victory or death letter to be displayed at the Capitol Complex with those documents until an appropriate place in the Alamo complex is designated for the display of that 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. 5032 amends the Government Code to require the Texas State Library and Archives Commission (TSLAC), in consultation and collaboration with the State Preservation Board (SPB) and the Texas Historical Commission, to designate an appropriate place in the Capitol Complex to securely display the Texas Constitution and the Texas Declaration of Independence. The bill requires TSLAC to pay the costs attributable to the display of those documents using available funds or funds appropriated to TSLAC for that purpose.

C.S.H.B. 5032 requires TSLAC, in consultation and collaboration with SPB and the Texas Historical Commission and not later than December 1, 2027, to do the following:

- develop a plan to display in the Capitol Complex the Texas Declaration of Independence and the Texas Constitution;
- publish the plan on TSLAC's website; and
- provide a copy of the plan to the standing committees of the legislature with jurisdiction over Texas' historical resources.

These provisions expire September 1, 2031.

C.S.H.B. 5032 establishes that TSLAC, in consultation and collaboration with SPB and the Texas Historical Commission, is responsible for the care and custody of the 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 to securely display the victory or death letter and, until TSLAC makes that designation and determines an appropriate time to securely transfer the letter to that place, to display the victory or death letter at the Capitol Complex with other historical documents, including the Texas Constitution and Texas Declaration of Independence. The bill requires costs attributable to the display of the victory or death letter in either complex to be paid by money from the Alamo complex account and establishes that such costs are an authorized use of the money in that account for purposes of the Natural Resources Code provision restricting the account's use.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 5032 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.

Whereas the introduced required TSLAC, in collaboration with SPB and other state agencies responsible for the care and custody of historical documents and as TSLAC determines appropriate, to develop a plan to display the Texas Constitution, the Texas Declaration of Independence, and the victory or death letter in the Capitol Complex, the substitute includes the following provisions instead:

- requirements for TSLAC, in consultation and collaboration with SPB and the Texas Historical Commission, to designate an appropriate place in the Capitol Complex to securely display the Texas Constitution and the Texas Declaration of Independence and to develop a plan for that display; and
- provisions that do the following with respect to the victory or death letter:
 - establish that TSLAC, in consultation and collaboration with SPB and the Texas Historical Commission, is responsible for the care and custody of the letter;
 - require TSLAC to designate an appropriate place in the Alamo complex to securely display the letter; and
 - require TSLAC, until it makes that designation and determines an appropriate time to securely transfer the letter to that place, to display the letter at the Capitol Complex with other historical documents, including the Texas Constitution and Texas Declaration of Independence.

The introduced established a deadline for the development of the required plan and requirements for the plan to be published on the TSLAC website and provided to appropriate standing committees, and the substitute retains those provisions for purposes of the plan for the display of the Texas Constitution and the Texas Declaration of Independence at the Capitol Complex.

The substitute includes the following provisions absent from the introduced relating to the payment of costs attributable to the display of the documents:

- a requirement for TSLAC to pay the costs attributable to the display of the Texas Constitution and the Texas Declaration of Independence using available funds or funds appropriated to TSLAC for that purpose; and
- a provision requiring costs attributable to the display of the victory or death letter to be paid by money from the Alamo complex account and establishing that such costs are an authorized use of the money in that account.