

AN ACT

relating to the preservation, maintenance, restoration, and protection of the Alamo complex and surrounding area by the Alamo Commission.

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

SECTION 1. Section 441.198(a), Government Code, is amended to read as follows:

(a) The commission may negotiate an agreement with the appropriate authorities in Mexico under which this state will trade or lend to Mexico the flags of the Toluca Battalion, the Guerrero Battalion, and the Matamoros Battalion captured at the Battle of San Jacinto ~~[and Mexico will trade or lend to this state the flag of the New Orleans Greys captured at the Battle of the Alamo]~~. An agreement under this section:

(1) may not affect title to the flags;

(2) may provide that this state will restore the San Jacinto flags to a suitable condition ~~[and Mexico will restore the Alamo flag to a suitable condition]~~ before the trade or loan of the flags as long as such conditioning does not alter the authenticity or integrity of the flags; and

(3) is not valid if it is not approved by the governor and by the appropriate authority for approval under the laws of Mexico.

SECTION 2. Subtitle D, Title 4, Government Code, is amended

by adding Chapter 443A, and a heading is added to that chapter to read as follows:

CHAPTER 443A. ALAMO COMMISSION

SECTION 3. Chapter 443A, Government Code, as added by this Act, is amended by adding Subchapter A, and a heading is added to that subchapter to read as follows:

SUBCHAPTER A. GENERAL PROVISIONS

SECTION 4. Section 31.450, Natural Resources Code, is transferred to Subchapter A, Chapter 443A, Government Code, as added by this Act, redesignated as Section 443A.002, Government Code, and amended to read as follows:

Sec. 443A.002 [~~31.450~~]. FINDINGS; MEMORANDUM OF UNDERSTANDING. (a) The legislature finds that:

(1) the Alamo has played an important role in the history of this state and continues to be a symbol of liberty and freedom for this state;

(2) this state wants to honor the individuals whose lives were lost at the Alamo;

(3) the entire history of the Alamo, from the time the Alamo was established as a mission until the present, should be recognized; and

(4) the Alamo is a world-class destination that provides a place of remembrance and education.

(b) The commission [~~land office~~] shall enter into a memorandum of understanding with the City of San Antonio to coordinate the planning and development of improvements to the Alamo complex and the area immediately surrounding the complex.

SECTION 5. Subchapter A, Chapter 443A, Government Code, as added by this Act, is amended by adding Sections 443A.001, 443A.003, and 443A.004 to read as follows:

Sec. 443A.001. DEFINITION. In this chapter, "commission" means the Alamo Commission.

Sec. 443A.003. ADMINISTRATIVE ATTACHMENT; PROHIBITED USE OF CERTAIN FUNDS. (a) The commission is administratively attached to the State Preservation Board, and the State Preservation Board shall provide administrative support to the commission.

(b) The commission may not use money in the Texas state buildings preservation endowment fund created as provided by Section 443.0103 for purposes of this chapter.

Sec. 443A.004. SUNSET REVIEW. (a) The Alamo Commission is subject to Chapter 325 (Texas Sunset Act). The commission shall be reviewed during the period in which the State Preservation Board is reviewed under Section 443.002.

(b) Notwithstanding Subsection (a), the commission may not be reviewed during the period the State Preservation Board is reviewed before the board is scheduled to be abolished on September 1, 2029, under Section 443.002. This subsection expires September 1, 2031.

SECTION 6. Chapter 443A, Government Code, as added by this Act, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. ALAMO COMMISSION

Sec. 443A.051. ALAMO COMMISSION. The Alamo Commission is established for the preservation, maintenance, restoration, and protection of the Alamo complex and its contents.

1       Sec. 443A.052. COMPOSITION OF COMMISSION. (a) The  
2 commission is composed of five members, as follows:

- 3           (1) the governor;  
4           (2) the lieutenant governor;  
5           (3) the speaker of the house of representatives;  
6           (4) a member of the senate, appointed by the  
7 lieutenant governor; and  
8           (5) a member of the house of representatives,  
9 appointed by the speaker of the house of representatives.

10       (b) A commission member appointed by the lieutenant  
11 governor or speaker of the house of representatives serves for a  
12 two-year term expiring on January 31 of each odd-numbered year.

13       Sec. 443A.053. PRESIDING OFFICERS. (a) The position of  
14 presiding officer rotates among the governor, lieutenant governor,  
15 and speaker of the house of representatives. A term as presiding  
16 officer is two years and expires on January 31 of each odd-numbered  
17 year.

18       (b) The commission members who are eligible to serve but are  
19 not serving as the presiding officer under Subsection (a) shall  
20 serve as joint assistant presiding officers for two-year terms  
21 expiring on January 31 of each odd-numbered year.

22       Sec. 443A.054. MEETINGS. The commission shall meet twice  
23 each year and at the call of the presiding officer or joint  
24 assistant presiding officers.

25       Sec. 443A.055. EXECUTIVE DIRECTOR; COMMISSION PERSONNEL.  
26 (a) The commission may:

- 27           (1) employ an executive director and other personnel

1 necessary for the performance of commission functions; and

2 (2) contract for professional services of qualified  
3 consultants.

4 (b) An executive director employed by the commission shall  
5 perform the duties required by this chapter and any duty delegated  
6 by the commission.

7 (c) The commission may not employ an applicant for the  
8 position of executive director unless two-thirds of the presiding  
9 and joint assistant presiding officers vote in favor of employing  
10 the applicant for the position.

11 Sec. 443A.056. EMPLOYMENT OF LOBBYIST. The commission and  
12 an organization described by Section 443A.101(d) may not use public  
13 money to employ, as a regular full-time or part-time or contract  
14 employee, a person who is required by Chapter 305 to register as a  
15 lobbyist.

16 SECTION 7. Chapter 443A, Government Code, as added by this  
17 Act, is amended by adding Subchapter C, and a heading is added to  
18 that subchapter to read as follows:

19 SUBCHAPTER C. POWERS AND DUTIES

20 SECTION 8. Section 31.451, Natural Resources Code, is  
21 transferred to Subchapter C, Chapter 443A, Government Code, as  
22 added by this Act, redesignated as Section 443A.101, Government  
23 Code, and amended to read as follows:

24 Sec. 443A.101 [31.451]. PRESERVATION AND MAINTENANCE OF  
25 ALAMO. (a) The Alamo complex is under the jurisdiction of the  
26 commission [~~land office~~]. The commission [~~land office~~] is  
27 responsible for the preservation, maintenance, and restoration of

1 the Alamo complex and its contents and the protection of the  
2 historical and architectural integrity of the exterior, interior,  
3 and grounds of the Alamo complex.

4 (b) Any power or duty related to the Alamo complex formerly  
5 vested in any other state agency or entity is vested solely in the  
6 commission [~~land office~~].

7 (c) Notwithstanding any other law, the commission [~~land~~  
8 ~~office~~] is not required to comply with state purchasing law in  
9 carrying out its duties under this subchapter.

10 (d) The commission [~~land office~~] may participate in the  
11 establishment of and partner with a qualifying nonprofit  
12 organization the purposes of which include raising funds for or  
13 providing services or other benefits for the preservation and  
14 maintenance of the Alamo complex. The commission [~~land office~~] may  
15 contract with the organization for the performance of any activity.

16 SECTION 9. Subchapter C, Chapter 443A, Government Code, as  
17 added by this Act, is amended by adding Sections 443A.102,  
18 443A.103, 443A.104, 443A.105, and 443A.106 to read as follows:

19 Sec. 443A.102. AGREEMENT WITH MEXICO; ALAMO BATTLE FLAG;  
20 1813 TEXAS DECLARATION OF INDEPENDENCE. (a) In this section, "1813  
21 Declaration of Independence" means the first Texas Declaration of  
22 Independence dated April 6, 1813, and proclaiming Texas'  
23 independence from Spain.

24 (b) The commission may negotiate an agreement with the  
25 appropriate authorities in Mexico under which Mexico will trade or  
26 lend to this state the flag of the New Orleans Greys captured at the  
27 Battle of the Alamo or the 1813 Declaration of Independence. An

agreement under this section:

(1) may not affect title to the flag or the 1813 Declaration of Independence;

(2) may provide that Mexico will restore the flag or the 1813 Declaration of Independence to a suitable condition before the trade or loan, provided the conditioning does not alter the authenticity or integrity of the flag or the 1813 Declaration of Independence; and

(3) is not valid unless the agreement is approved by the governor and by the appropriate authority for approval under the laws of Mexico.

(c) If an agreement to trade or lend the Alamo battle flag or the 1813 Declaration of Independence under Subsection (b) does not provide that Mexico will restore the flag or the 1813 Declaration of Independence to a suitable condition before the trade or loan, the commission may use only gifts or grants to restore the flag or the 1813 Declaration of Independence to a suitable condition after the trade or loan.

(d) The commission shall designate an appropriate place in the Alamo complex for the secure display of the Alamo battle flag and the 1813 Declaration of Independence.

Sec. 443A.103. VICTORY OR DEATH LETTER. (a) In this section, "victory or death letter" means the letter written by Lieutenant Colonel William B. Travis dated February 24, 1836, and signed "Victory or Death."

(b) The commission, in consultation with the state agency with jurisdiction over the victory or death letter, shall designate

1 an appropriate place in the Alamo complex for the secure display of  
2 the victory or death letter.

3 Sec. 443A.104. JURISDICTION OVER CERTAIN ARTIFACTS. Except  
4 as provided by Sections 441.198 and 443A.103, the commission has  
5 jurisdiction over an artifact or item of historical interest  
6 associated with the Alamo.

7 Sec. 443A.105. AGREEMENT FOR SECURITY OPERATIONS. The  
8 commission shall enter into an agreement with the Department of  
9 Public Safety for the department to provide security operations for  
10 the Alamo complex.

11 Sec. 443A.106. ANNUAL BUDGET AND WORK PLAN. (a) The  
12 commission shall prepare an annual budget and work plan for the  
13 Alamo complex and the buildings in the complex, their contents, and  
14 their grounds. The plan must address preservation, usual  
15 maintenance, and any necessary construction for the complex.

16 (b) The commission may satisfy the requirements of this  
17 section by overseeing the preparation of an annual budget and work  
18 plan described by Subsection (a) by a qualifying nonprofit  
19 organization with which the commission contracts under Section  
20 443A.101(d).

21 SECTION 10. Chapter 443A, Government Code, as added by this  
22 Act, is amended by adding Subchapter D, and a heading is added to  
23 that subchapter to read as follows:

24 SUBCHAPTER D. ALAMO COMPLEX FUND; AUDIT

25 SECTION 11. Section 31.454, Natural Resources Code, is  
26 transferred to Subchapter D, Chapter 443A, Government Code, as  
27 added by this Act, redesignated as Section 443A.151, Government



Code, and amended to read as follows:

Sec. 443A.151 [~~31.454~~]. [~~THE~~] ALAMO COMPLEX ACCOUNT. (a)  
The Alamo complex account is a separate account in the general revenue fund.

(b) The account consists of:

- (1) transfers made to the account;
- (2) fees and other revenue from operation of the Alamo complex;
- (3) grants, donations, and bequests from any source designated for the benefit of the Alamo complex; and
- (4) income earned on investments of money in the account.

(c) The commission [~~land office~~] may accept a gift, grant, or bequest of money, securities, services, or property to carry out any purpose related to the preservation and maintenance of the Alamo complex, including funds raised or services provided by a volunteer or volunteer group to promote the commission's duties under this chapter [~~work of the land office~~]. All proceeds under this subsection shall be deposited to the credit of the account.

(d) Appropriations to the commission [~~land office~~] for the preservation, operation, or maintenance of the Alamo complex shall be deposited to the credit of the account.

(e) The commission [~~land office~~] may use money in the account only to administer this chapter [~~subchapter~~], including to support the preservation, repair, renovation, improvement, expansion, equipping, operation, or maintenance of the Alamo complex or to acquire a historical item appropriate to the Alamo

1 complex.

2 (f) Any money in the account not used in a fiscal year  
3 remains in the account. The account is exempt from the application  
4 of Section 403.095[~~, Government Code~~].

5 SECTION 12. Subchapter D, Chapter 443A, Government Code, as  
6 added by this Act, is amended by adding Section 443A.152 to read as  
7 follows:

8 Sec. 443A.152. ANNUAL AUDIT. The commission shall have an  
9 annual audit conducted by an independent auditor of any  
10 expenditures of public money for purposes of this chapter by a  
11 nonprofit organization with which the commission contracts under  
12 Section 443A.101(d).

13 SECTION 13. Section 504.665(b), Transportation Code, is  
14 amended to read as follows:

15 (b) After deduction of the department's administrative  
16 costs, the remainder of the fee for issuance of the license plates  
17 shall be deposited to the credit of an account created by the  
18 comptroller in the manner provided by Section 504.6012(b). Money  
19 deposited to that account may be used only by the Alamo Commission  
20 [~~General Land Office~~] as follows:

21 (1) 75 percent of the money shall be used for the  
22 preservation of the Alamo; and

23 (2) 25 percent of the money shall be used to enhance  
24 the Alamo visitor experience or to fund education programs about  
25 the Alamo.

26 SECTION 14. The following provisions are repealed:

27 (1) Section 441.198(c), Government Code;

1           (2) Section 31.0515, Natural Resources Code;

2           (3) the heading to Subchapter I, Chapter 31, Natural  
3 Resources Code;

4           (4) Section 31.452, Natural Resources Code;

5           (5) Section 31.453, Natural Resources Code;

6           (6) Section 31.455, Natural Resources Code; and

7           (7) Section 1, Chapter 984 (S.B. 2612), Acts of the  
8 88th Legislature, Regular Session, 2023, which amended former  
9 Article 2.12, Code of Criminal Procedure.

10         SECTION 15. (a) As soon as practicable after the effective  
11 date of this Act, the state auditor shall conduct an audit of any  
12 expenditures of public money by the General Land Office with  
13 respect to the Alamo complex and any expenditures of public money by  
14 a nonprofit organization with which the General Land Office  
15 contracted before the effective date of this Act under Section  
16 31.451(d), Natural Resources Code, to ensure an accurate  
17 understanding of those expenditures and to aid in the transfer of  
18 authority relating to the Alamo complex to the Alamo Commission, as  
19 established by this Act.

20         (b) Not later than January 1, 2028, the state auditor shall  
21 prepare and submit to the Alamo Commission, as established by this  
22 Act, a report on the findings of the audit conducted under  
23 Subsection (a) of this section.

24         SECTION 16. The term of a member serving on the Alamo  
25 Preservation Advisory Board immediately before the effective date  
26 of this Act whose position on the board is abolished by the changes  
27 in law made by this Act expires on the effective date of this Act.

1           SECTION 17. (a) In this section, "commission" means the  
2 Alamo Commission established by Chapter 443A, Government Code, as  
3 added by this Act.

4           (b) On September 1, 2027, or as soon as practicable after  
5 that date, the General Land Office and the commission shall enter  
6 into a memorandum of understanding relating to the transfer of  
7 power and duties from the General Land Office to the commission as  
8 provided by this Act. The memorandum of understanding must:

9                 (1) include a comprehensive plan to ensure the orderly  
10 transition of the preservation, maintenance, and restoration of the  
11 Alamo complex to the commission; and

12                (2) provide for the completion of the transfer by  
13 January 1, 2028.

14           (c) Not later than January 1, 2028, all powers, duties,  
15 obligations, rights, contracts, bonds, appropriations, records,  
16 property, and personnel of the General Land Office related to the  
17 Alamo complex are transferred to the commission as provided for in  
18 the memorandum of understanding entered into under Subsection (b)  
19 of this section.

20           (d) A rule, policy, procedure, or decision of the General  
21 Land Office continues in effect as a rule, policy, procedure, or  
22 decision of the commission, as appropriate, until superseded by an  
23 act of the commission.

24           (e) Notwithstanding the transfer, redesignation, and repeal  
25 of provisions of Subchapter I, Chapter 31, Natural Resources Code,  
26 and Section 1, Chapter 984 (S.B. 2612), Acts of the 88th  
27 Legislature, Regular Session, 2023, by this Act, the General Land

1 Office shall continue to perform duties and exercise powers under  
2 those laws as they existed immediately before the effective date of  
3 this Act until the date provided by the memorandum of understanding  
4 entered into under Subsection (b) of this section.

5 SECTION 18. (a) The governor shall serve as the first  
6 presiding officer of the Alamo Commission as provided by Section  
7 443A.053, Government Code, as added by this Act, for a term ending  
8 on January 31, 2029.

9 (b) The lieutenant governor shall serve as the second  
10 presiding officer of the Alamo Commission as provided by Section  
11 443A.053, Government Code, as added by this Act, for a term  
12 beginning on February 1, 2029, and ending on January 31, 2031.

13 (c) The speaker of the house of representatives shall serve  
14 as the third presiding officer of the Alamo Commission as provided  
15 by Section 443A.053, Government Code, as added by this Act, for a  
16 term beginning on February 1, 2031, and ending on January 31, 2033.

17 (d) On the effective date of this Act or as soon as  
18 practicable after that date, the lieutenant governor and the  
19 speaker of the house of representatives shall each appoint a  
20 person, as required by Section 443A.052, Government Code, as added  
21 by this Act, to the Alamo Commission to serve a term ending on  
22 January 31, 2029.

23 SECTION 19. It is the intent of the 89th Legislature,  
24 Regular Session, 2025, that the amendments made by this Act be  
25 harmonized with another Act of the 89th Legislature, Regular  
26 Session, 2025, relating to nonsubstantive additions to and  
27 corrections in enacted codes.

1           SECTION 20.   This Act takes effect September 1, 2027.

<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div>President of the Senate</div>	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div>Speaker of the House</div>
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I hereby certify that S.B. No. 3059 passed the Senate on May 12, 2025, by the following vote: Yeas 28, Nays 2; May 29, 2025, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 30, 2025, House granted request of the Senate; May 31, 2025, Senate adopted Conference Committee Report by the following vote: Yeas 29, Nays 2.

	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div>Secretary of the Senate</div>
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I hereby certify that S.B. No. 3059 passed the House, with amendments, on May 27, 2025, by the following vote: Yeas 117, Nays 21, two present not voting; May 30, 2025, House granted request of the Senate for appointment of Conference Committee; June 1, 2025, House adopted Conference Committee Report by the following vote: Yeas 104, Nays 31, two present not voting.

	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div>Chief Clerk of the House</div>
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Approved:

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<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div>Governor</div>	