

SENATE AMENDMENTS

2nd Printing

By: Harris, Metcalf, Raymond

H.B. No. 1397

A BILL TO BE ENTITLED

AN ACT

relating to the care, custody, and display of the letter known as the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence.

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

SECTION 1. Subchapter L, Chapter 441, Government Code, is amended by adding Section 441.207 to read as follows:

Sec. 441.207. CARE, CUSTODY, AND DISPLAY OF VICTORY OR DEATH LETTER, TEXAS CONSTITUTION, AND TEXAS DECLARATION OF INDEPENDENCE. (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 is responsible for the care and custody of the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence.

(c) The commission shall:

(1) designate an appropriate place in the Alamo complex for the secure display of the victory or death letter; and

(2) on the Texas Historical Commission's determination that the transfer to and display of the letter at the Alamo complex is safe and appropriate, transfer the letter to that location for display.

(d) Until the commission designates an appropriate place in the Alamo complex to display the victory or death letter and in

1 collaboration with the Texas Historical Commission determines an
2 appropriate time to securely transfer the letter to that place, the
3 commission shall display the victory or death letter in the public
4 location at the Capitol Complex at which the Texas Constitution and
5 the Texas Declaration of Independence are displayed as required by
6 Subsection (e).

7 (e) The commission shall collaborate with the Texas
8 Historical Commission and State Preservation Board to determine an
9 appropriate public location at the Capitol Complex for the secure
10 display of the Texas Constitution and the Texas Declaration of
11 Independence.

12 (e-1) The commission, in consultation and collaboration
13 with the Texas Historical Commission and the State Preservation
14 Board and not later than December 1, 2027, shall:

15 (1) develop a plan to display in the Capitol Complex
16 the Texas Declaration of Independence and the Texas Constitution;

17 (2) publish the plan on the commission's Internet
18 website; and

19 (3) provide a copy of the plan to the standing
20 committees of the legislature with jurisdiction over the state's
21 historical resources.

22 (e-2) Subsection (e-1) and this subsection expire September
23 1, 2031.

24 (f) The commission, in consultation and collaboration with
25 the Texas Historical Commission and the State Preservation Board,
26 may authorize for a limited period the display of the Texas
27 Constitution, the Texas Declaration of Independence, or the victory

1 or death letter at a historical event or historical site.

2 (g) Costs attributable to the display of the victory or
3 death letter, the Texas Constitution, and the Texas Declaration of
4 Independence shall be paid by the commission, using money available
5 to the commission for that purpose.

6 SECTION 2. This Act takes effect September 1, 2025.

ADOPTED

MAY 23 2025

Latey Law
Secretary of the Senate

By: Mayer Middleton

H.B. No. 1397

Substitute the following for H.B. No. 1397:

By: J. O. Smith

C.S. H.B. No. 1397

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the care, custody, and display of the letter known as
3 the victory or death letter, the Texas Constitution, and the Texas
4 Declaration of Independence.

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

6 SECTION 1. Subchapter L, Chapter 441, Government Code, is
7 amended by adding Section 441.207 to read as follows:

8 Sec. 441.207. CARE, CUSTODY, AND DISPLAY OF VICTORY OR
9 DEATH LETTER, TEXAS CONSTITUTION, AND TEXAS DECLARATION OF
10 INDEPENDENCE. (a) In this section, "victory or death letter" means
11 the letter written by Lieutenant Colonel William B. Travis dated
12 February 24, 1836, and signed "Victory or Death."

13 (b) The commission is responsible for the care and custody
14 of the victory or death letter, the Texas Constitution, and the
15 Texas Declaration of Independence. The commission is responsible
16 for the safety and preservation of the victory or death letter at
17 all times, including when the letter is in the direct custody of the
18 commission, in storage, or on display in the Alamo complex, Capitol
19 Complex, or another site the commission determines appropriate
20 under Subsection (f).

21 (c) The commission shall:

22 (1) designate an appropriate place in the Alamo
23 complex for the secure display of the victory or death letter; and

24 (2) on the Texas Historical Commission's determination

1 that the transfer to and display of the letter at the Alamo complex
2 is safe and appropriate, transfer the letter to that location for
3 display.

4 (d) Until the commission designates an appropriate place in
5 the Alamo complex to display the victory or death letter and in
6 collaboration with the Texas Historical Commission determines an
7 appropriate time to securely transfer the letter to that place, the
8 commission shall display the victory or death letter in the public
9 location at the Capitol Complex at which the Texas Constitution and
10 the Texas Declaration of Independence are displayed as required by
11 Subsection (e).

12 (e) The commission shall collaborate with the Texas
13 Historical Commission and State Preservation Board to determine an
14 appropriate public location at the Capitol Complex for the secure
15 display of the Texas Constitution and the Texas Declaration of
16 Independence.

17 (e-1) The commission, in consultation and collaboration
18 with the Texas Historical Commission and the State Preservation
19 Board and not later than December 1, 2027, shall:

20 (1) develop a plan to display:

21 (A) the Texas Declaration of Independence and the
22 Texas Constitution in the Capitol Complex; and

23 (B) the victory or death letter in the Alamo
24 complex and other sites the commission determines appropriate under
25 Subsection (f);

26 (2) publish the plan on the commission's Internet
27 website; and

1 (3) provide a copy of the plan to the standing
2 committees of the legislature with jurisdiction over the state's
3 historical resources.

4 (e-2) Subsection (e-1) and this subsection expire September
5 1, 2031.

6 (f) The commission, in consultation and collaboration with
7 the Texas Historical Commission and the State Preservation Board,
8 may authorize for a limited period the display of the Texas
9 Constitution, the Texas Declaration of Independence, or the victory
10 or death letter at a museum, historical event, or historical site.

11 (g) Costs attributable to the display of the victory or
12 death letter, the Texas Constitution, and the Texas Declaration of
13 Independence shall be paid by the commission, using money available
14 to the commission for that purpose.

15 SECTION 2. This Act takes effect September 1, 2025.

ADOPTED

MAY 23 2025

Latey Law
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: Mayer Middleton

1 Amend C.S.H.B. No. 1397 (senate committee report) by
2 striking all below the enacting clause and substituting the
3 following:

4 SECTION 1. Chapter 443, Government Code, is amended by
5 adding Section 443.031 to read as follows:

6 Sec. 443.031. CARE, CUSTODY, AND DISPLAY OF VICTORY OR
7 DEATH LETTER, TEXAS CONSTITUTION, AND TEXAS DECLARATION OF
8 INDEPENDENCE. (a) In this section, "victory or death letter" means
9 the letter written by Lieutenant Colonel William B. Travis dated
10 February 24, 1836, and signed "Victory or Death."

11 (b) The board is responsible for the care and custody of the
12 victory or death letter, the Texas Constitution, and the Texas
13 Declaration of Independence. The board is responsible for the
14 safety and preservation of the victory or death letter at all times,
15 including when the letter is in the direct custody of the board, in
16 storage, or on display in the Alamo complex, Capitol Complex, or
17 another site the board determines appropriate under Subsection (f).

18 (c) The board, in consultation with the Texas Historical
19 Commission and the Texas State Library and Archives Commission,
20 shall:

21 (1) designate an appropriate place in the Alamo
22 complex for the secure display of the victory or death letter; and

23 (2) on the Texas Historical Commission's determination
24 that the transfer to and display of the letter at the Alamo complex
25 is safe and appropriate, transfer the letter to that location for
26 display.

27 (d) Until the board designates an appropriate place in the
28 Alamo complex to display the victory or death letter and in
29 collaboration with the Texas Historical Commission and the Texas

1 State Library and Archives Commission determines an appropriate
2 time to securely transfer the letter to that place, the board, in
3 consultation with the Texas Historical Commission and the Texas
4 State Library and Archives Commission, shall display the victory or
5 death letter in the public location at the Capitol Complex at which
6 the Texas Constitution and the Texas Declaration of Independence
7 are displayed as required by Subsection (e).

8 (e) The board shall collaborate with the Texas Historical
9 Commission and the Texas State Library and Archives Commission to
10 determine an appropriate public location at the Capitol Complex for
11 the secure display of the Texas Constitution and the Texas
12 Declaration of Independence.

13 (e-1) The board, in consultation and collaboration with the
14 Texas Historical Commission and the Texas State Library and
15 Archives Commission and not later than December 1, 2027, shall:

16 (1) develop a plan to display:

17 (A) the Texas Declaration of Independence and the
18 Texas Constitution in the Capitol Complex; and

19 (B) the victory or death letter in the Alamo
20 complex and other sites the board determines appropriate under
21 Subsection (f);

22 (2) publish the plan on the board's Internet website;
23 and

24 (3) provide a copy of the plan to the standing
25 committees of the legislature with jurisdiction over the state's
26 historical resources.

27 (e-2) Subsection (e-1) and this subsection expire September
28 1, 2031.

29 (f) The board, in consultation and collaboration with the
30 Texas Historical Commission and the Texas State Library and
31 Archives Commission, may authorize for a limited period the display

1 of the Texas Constitution, the Texas Declaration of Independence,
2 or the victory or death letter at a museum, historical event, or
3 historical site.

4 (g) Costs attributable to the display of the victory or
5 death letter, the Texas Constitution, and the Texas Declaration of
6 Independence shall be paid by the board, using money available to
7 the board for that purpose.

8 SECTION 2. On the day the Texas Constitution, the Texas
9 Declaration of Independence, and the letter described by Section
10 443.031(a), Government Code, as added by this Act, are to be
11 displayed at the Capitol Complex, as provided by Sections
12 443.031(d) and (e), Government Code, as added by this Act, the Texas
13 State Library and Archives Commission shall transfer to the State
14 Preservation Board the Texas Constitution, the Texas Declaration of
15 Independence, and the letter described by Section 443.031(a),
16 Government Code, as added by this Act.

17 SECTION 3. This Act takes effect September 1, 2025.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 26, 2025

TO: Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1397 by Harris (Relating to the care, custody, and display of the letter known as the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence.), **As Passed 2nd House**

There would be an indeterminate cost to the state dependent on the specific parameters and type of encasements used to house the three historical documents outlined in the bill.

This bill would designate the State Preservation Board (SPB) as responsible for the care and custody of the Victory or Death letter, the Texas Constitution, and the Texas Declaration of Independence. It would require SPB, in consultation with the Texas Historical Commission (THC) and the Texas State Library and Archives Commission (TSLAC) to designate an appropriate place in the Alamo complex for the secure display of the Victory or Death letter, and coordinate with the Historical Commission on the transfer of the letter to the Alamo complex. SPB would be required to collaborate with the THC and TSLAC to determine an appropriate public location in the capitol complex to display the Texas Constitution and the Declaration or Independence, and until the appropriate time to transfer it to the Alamo complex, the Victory or Death letter. Costs attributable to the display of the three documents would be paid by SPB.

Costs to display the documents in a public location would vary based on the exact parameters of the encasements and the condition of the documents they house, and as such, the fiscal impact cannot be determined at this time.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 305 General Land Office and Veterans' Land Board, 306 Library & Archives Commission, 808 Historical Commission, 809 Preservation Board

LBB Staff: JMc, RStu, LCO, CSmi, JPE, TUf, NV, MW, JDio

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 14, 2025

TO: Honorable Phil King, Chair, Senate Committee on Economic Development

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1397 by Harris (relating to the care, custody, and display of the letter known as the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence.), **Committee Report 2nd House, Substituted**

There would be an indeterminate cost to the state dependent on the specific parameters and type of encasements used to house the three historical documents outlined in the bill.

This bill would designate the Texas State Library and Archives Commission (TSLAC) as responsible for the care and custody of the Victory or Death letter, the Texas Constitution, and the Texas Declaration of Independence. It would require TSLAC to designate an appropriate place in the Alamo complex for the secure display of the Victory or Death letter, and coordinate with the Historical Commission on the transfer of the letter to the Alamo complex. TSLAC would be required to collaborate with the Historical Commission to determine an appropriate public location in the capitol complex to display the Texas Constitution, the Declaration of Independence, and until the appropriate time to transfer it to the Alamo complex, the Victory or Death letter. Costs attributable to the display of the three documents would be paid by TSLAC.

According to TSLAC, research conducted with the National Institute of Science and Technology concluded that total costs to display all three documents in a public location could range between \$1,819,245 and \$3,063,350 for fiscal year 2026. This would include three state of the art encasements made with a double layer of tempered glass, sealing the documents in argon gas with precise sensors, a frame machined from a solid metal block, and sealed together with a tin and nickel alloy. Each encasement is estimated to cost between \$473,415 and \$888,117. The encasements would be housed in three formal exhibit cases (approximately \$33,000 per case), and installed at the determined location (approximately \$100,000 per case). The exact parameters of the encasements would be primarily dependent on the condition of the documents they house, and as such, the fiscal impact cannot be determined at this time.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 305 General Land Office and Veterans' Land Board, 306 Library & Archives Commission, 808 Historical Commission, 809 Preservation Board

LBB Staff: JMc, RStu, CSmi, JPE, LCO, TUf, NV, MW, JDio

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 4, 2025

TO: Honorable Phil King, Chair, Senate Committee on Economic Development

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1397 by Harris (Relating to the care, custody, and display of the letter known as the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence.), **As Engrossed**

There would be an indeterminate cost to the state dependent on the specific parameters and type of encasements used to house the three historical documents outlined in the bill.

This bill would designate the Texas State Library and Archives Commission (TSLAC) as responsible for the care and custody of the Victory or Death letter, the Texas Constitution, and the Texas Declaration of Independence. It would require TSLAC to designate an appropriate place in the Alamo complex for the secure display of the Victory or Death letter, and coordinate with the Historical Commission on the transfer of the letter to the Alamo complex. TSLAC would be required to collaborate with the Historical Commission to determine an appropriate public location in the capitol complex to display the Texas Constitution, the Declaration of Independence, and until the appropriate time to transfer it to the Alamo complex, the Victory or Death letter. Costs attributable to the display of the three documents would be paid by TSLAC.

According to TSLAC, research conducted with the National Institute of Science and Technology concluded that total costs to display all three documents in a public location could range between \$1,819,245 and \$3,063,350 for fiscal year 2026. This would include three state of the art encasements made with a double layer of tempered glass, sealing the documents in argon gas with precise sensors, a frame machined from a solid metal block, and sealed together with a tin and nickel alloy. Each encasement is estimated to cost between \$473,415 and \$888,117. The encasements would be housed in three formal exhibit cases (approximately \$33,000 per case), and installed at the determined location (approximately \$100,000 per case). The exact parameters of the encasements would be primarily dependent on the condition of the documents they house, and as such, the fiscal impact cannot be determined at this time.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 305 General Land Office and Veterans' Land Board, 306 Library & Archives Commission, 808 Historical Commission, 809 Preservation Board

LBB Staff: JMc, JPE, LCO, CSmi, TUf, NV, MW, JDio

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 18, 2025

TO: Honorable Will Metcalf, Chair, House Committee on Culture, Recreation & Tourism

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1397 by Harris (relating to the care, custody, and display of the letter known as the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence.), **Committee Report 1st House, Substituted**

There would be an indeterminate cost to the state dependent on the specific parameters and type of encasements used to house the three historical documents outlined in the bill.

This bill would designate the Texas State Library and Archives Commission (TSLAC) as responsible for the care and custody of the Victory or Death letter, the Texas Constitution, and the Texas Declaration of Independence. It would require TSLAC to designate an appropriate place in the Alamo complex for the secure display of the Victory or Death letter, and coordinate with the Historical Commission on the transfer of the letter to the Alamo complex. TSLAC would be required to collaborate with the Historical Commission to determine an appropriate public location in the capitol complex to display the Texas Constitution, the Declaration or Independence, and until the appropriate time to transfer it to the Alamo complex, the Victory or Death letter. Costs attributable to the display of the three documents would be paid by TSLAC.

According to TSLAC, research conducted with the National Institute of Science and Technology concluded that total costs to display all three documents in a public location could range between \$1,819,245 and \$3,063,350 for fiscal year 2026. This would include three state of the art encasements made with a double layer of tempered glass, sealing the documents in argon gas with precise sensors, a frame machined from a solid metal block, and sealed together with a tin and nickel alloy. Each encasement is estimated to cost between \$473,415 and \$888,117. The encasements would be housed in three formal exhibit cases (approximately \$33,000 per case), and installed at the determined location (approximately \$100,000 per case). The exact parameters of the encasements would be primarily dependent on the condition of the documents they house, and as such, the fiscal impact cannot be determined at this time.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 305 General Land Office and Veterans' Land Board, 306 Library & Archives Commission, 808 Historical Commission, 809 Preservation Board

LBB Staff: JMc, TUf, LCO, CSmi, NV, MW, JDio

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 7, 2025

TO: Honorable Will Metcalf, Chair, House Committee on Culture, Recreation & Tourism

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1397 by Harris (Relating to the transfer and the care and custody of the letter known as the victory or death letter.), **As Introduced**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 305 General Land Office and Veterans' Land Board, 306 Library & Archives Commission

LBB Staff: JMc, TUf, MW, JDio