

BILL ANALYSIS

Senate Research Center

S.B. 771
By: Moncrief
International Relations, Trade & Technology
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As Filed

DIGEST

The Texas Commission on the Arts was created in 1965 to receive federal funds and provide funding, assistance, leadership, and initiative in the arts. The commission administers a grant program using federal and state funds for local arts projects and agencies and provides technical assistance to arts organizations and individuals.

Currently, the commission receives the majority, 81 percent, of its funding from general revenue. Nearly 19 percent of the agency's current budget is attributed to federal funds which are often used as leverage for local and private support. The 73rd Legislature created the Texas Cultural Endowment Fund to provide a stable source of funding for the commission through interest earnings.

In its performance report to the 75th Legislature, the Legislative Budget Board suggested that alternative funding sources should be identified for the agency to compensate for unreliable federal funding and the early status of the endowment fund. This bill would allow the commission to license for a fee the use of its name or logo for fundraising purposes. In addition, S.B. 771 would authorize the commission to purchase and resell certain items for the promotion of arts in Texas.

PURPOSE

As proposed, S.B. 771 authorizes the Texas Commission on the Arts (commission) to license for a fee the use of its name or logo to a private vendor for the promotion of the arts in Texas, for fundraising for the commissioner, or for any other lawful purpose of the commission. Furthermore, this bill authorizes the commission to purchase and resell certain items as it determines appropriate for the promotion of the arts in Texas.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 444.025, Government Code, as follows:

Sec. 444.025. New heading: DONATIONS; APPROPRIATIONS; LICENSING AND SALES REVENUE; AUDIT. Authorizes the Texas Commission on the Arts (commission) to license for a fee the use of its name or logo and any other artwork or graphics developed by the commission to a private vendor for the promotion of the arts in Texas, for fundraising for the commissioner, or for any other lawful purpose of the commission. Sets forth requirements regarding the use of licensed property and the depositing of licensing fees. Authorizes the commission to purchase and resell certain items as it determines appropriate for the promotion of the arts in Texas. Requires net profits from those sales to be deposited in the Texas Commission on the Arts operating fund. Makes conforming changes.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.