

## **BILL ANALYSIS**

Senate Research Center

S.B. 984  
By: Gallegos  
State Affairs  
4-1-97  
As Filed

### **DIGEST**

Currently, the Texas Historical Commission is the state agency for historic preservation and has the statutory duty for providing overall coordination and support to historic preservation efforts relating to Texas history throughout the state and at sites outside the state where Texans have made significant historical contributions. With the recent major restoration and preservation projects of several historical Texas landmarks, additional authority is needed to preserve and protect the historical landmarks of this state. This bill provides cleanup language relating to the preservation, operation, and maintenance of historical resources, and expands the powers and duties of the Texas Historical Commission.

### **PURPOSE**

As proposed, S.B. 984 provides cleanup language relating to the preservation, operation, and maintenance of historical resources, and expands the powers and duties of the Texas Historical Commission.

### **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 Sections 2165.256(a), (b), (h), and (j), Government Code, to require the Texas Historical Commission (commission), rather than the commission, to preserve the historical integrity of the cemetery, its grounds, and related property, rather than to preserve the grounds of the cemetery. Requires the historical commission to procure and erect a marble obelisk for graves without monuments. Makes conforming changes.

SECTION 2. Amends Chapter 443, Government Code, by adding Section 443.0081, as follows:

Sec. 443.0081. CONSULTATION WITH HISTORICAL COMMISSION. Requires the State Preservation Board (board) to consult with the commission on the historic preservation aspects of the board's duties. Requires the board to seek and consider the advice of the commission before approving construction modifications of the Capitol, the Capitol grounds, or the General Land Office Building.

SECTION 3. Amends Sections 442.005(i), (o), and (p), Government Code, to authorize the commission to provide loans or grants to assist in the preservation of certain historically significant structures. Sets forth conditions for a loan or grant used for the preservation of a historic property. Authorizes the commission to enter into contracts with federal, other state, or local governmental agencies and private institutions qualified to carry out the purposes of the commission, rather than this chapter. Authorizes the commission to accept services, among other things, to carry out any purpose of the commission, including funds raised or services provided by a volunteer or group to promote the work of the commission. Authorizes the commission to participate in the establishment and operation of an affiliated nonprofit organization whose purpose is to raise funds for or provide services or other benefits to the commission. Authorizes the commission to contract with an affiliated nonprofit organization in order to perform its imposed duties. Makes conforming and nonsubstantive changes.

SECTION 4. Amends Sections 442.0086(a) and (e), Government Code, to require the commission to identify, preserve, interpret, and place monuments at sites in and outside this state that are historically significant to this state. Makes a conforming change.

SECTION 5. Effective date: September 1, 1997.

SECTION 6. Emergency clause.