

BILL ANALYSIS

Senate Research Center
76T13206 MXM-D

H.B. 2997
By: Culberson (Lindsay)
State Affairs
5/13/1999
Engrossed

DIGEST

H.B. 2997 ensures that the state flag is of the same colors as those used in the United State flag. This bill lays out specifications for the governor's flag. This bill establishes a state motto, state bird, and a state flower. It also sets forth Lamar Day, Sam Houston Day, Alamo Heroes Day, and Lorenzo De Zavala Day as days to be regularly observed.

PURPOSE

As proposed, H.B. 2997 amends regulations regarding the recognition of certain symbols of the State of Texas and designation of various recognition days.

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 Subsection (d), Article 6139a, V.T.C.S. (Description of the State Flag), to set forth that the red and blue colors of the state flag are the same colors used in the United States flag and are defined as numbers 193, rather than 80108 (red), and 281, rather than 80075 (dark blue), of the Pantone Matching System, rather than the Standard Color Reference of America, 10th edition.

SECTION 2. Amends Subsection (b), Article 6139b, V.T.C.S. (Pledge of Allegiance to the State Flag), to provide that individuals who are not citizens of this state should remain silent and stand at attention during the pledge of allegiance to the state flag.

SECTION 3. Amends Sections (3)(d) and (s), Article 6139c, V.T.C.S. (Texas Flag Code), to include national holidays as times when the state flag should be displayed. Provides that the state flag should be displayed at half-staff on Peace Officers Memorial Day (May 15), unless that day is also Armed Forces Day.

SECTION 4. Amends Article 6139d, V.T.C.S. (Flag of the Governor), as follows:

Art. 6139d. FLAG OF THE GOVERNOR. Sets forth that the flag of the governor is the 1839 pilot flag of the Republic of Texas. Sets forth the description of the flag of the governor. Authorizes the flag of the governor, when displayed permanently mounted on a staff, as for indoor or parade use, to be decorated with gold fringe and the staff to be decorated with gold cords and tassels. Provides that when the flag of the governor is displayed on a staff, the staff should be at least 2 and one-half times as long as the flag's hoist, and the flag should be attached to the staff's peak. Provides that the staff's finial should be either a lone star or a spearhead. Authorizes the governor to prescribe any changes relating to the description or display of the flag of the governor that the governor considers appropriate. Requires the governor to set forth any changes, rather than the description of the flag, in an executive order published in the Texas Register. Deletes text authorizing the governor to adopt a flag for the governor's official use.

SECTION 5. Amends Title 106, V.T.C.S., by adding Article 6139g, as follows:

Art. 6139g. STATE MOTTO. Provides that "friendship" is the state motto.

SECTION 6. Amends Title 106, V.T.C.S., by adding Article 6139h, as follows:

Art. 6139h. STATE BIRD. Provide that the mockingbird is the state bird.

SECTION 7. Amends Title 106, V.T.C.S., by adding Article 6139i, as follows:

Art. 6139i. STATE FLOWER. Provide that the bluebonnet is the state flower.

SECTION 8. Amends Article 6143, V.T.C.S., as follows:

Art. 6139j. New heading: STATE TREE. Deletes text requiring the State Board of Control and the State Parks Board to give due consideration to the Pecan Tree when planning beautification of State Parks or other public property belonging to the State. Redesignated from Article 6143, V.T.C.S. Makes conforming changes.

SECTION 9. Amends Chapter 662C, Government Code, by adding Sections 662.046-662.049, as follows:

Sec. 662.046. LAMAR DAY. Provide that January 26 is Lamar Day in memory of Mirabeau B. Lamar. Requires Lamar Day to be regularly observed by appropriate programs in the public schools and other places.

Sec. 662.047. SAM HOUSTON DAY. Provide that March 2 is Sam Houston Day. Requires Sam Houston Day to be regularly observed by appropriate programs in the public schools and other places.

Sec. 662.048. ALAMO HEROES DAY. Provide that March 6 is Alamo Heroes Day. Requires Alamo Heroes Day to be regularly observed by appropriate and patriotic programs in the public schools and other places.

Sec. 662.049. LORENZO DE ZAVALA DAY. Provide that October 3 is Lorenzo de Zavala Day in memory of Manuel Lorenzo Justiniano de Zavala y Saenz. Requires Lorenzo de Zavala Day to be regularly observed by appropriate programs in the public schools and other places.

SECTION 10. Provides that it is the intent of the legislature that the General Services Commission, the Parks and Wildlife Department, and other state agencies continue to give due consideration to the state tree and the state flower when planning beautification of state parks or other public property.

SECTION 11. Emergency clause.

Effective date: 90 days after adjournment.