

BILL ANALYSIS

Senate Research Center
79R18086 E

C.S.H.B. 2902
By: Hilderbran (Fraser)
Government Organization
5/18/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The Texas Historic Courthouse Preservation Program (program) has successfully restored and preserved many historic courthouses since the 76th Texas Legislature created the program in 1999 and appropriated \$145 million over the past three biennia. Now, the state needs to ensure that this investment of state funds is well secured so these courthouses never again fall into a state of disrepair.

C.S.H.B. 2902 authorizes the Texas Historical Commission (THC) to develop and implement a program to ensure that counties that receive money for courthouse projects continue to maintain, repair, and preserve their courthouses to protect the investment of state funds. In order to fund this new maintenance program and pay administrative costs, C.S.H.B. 2902 also authorizes THC to receive two-and-a-half percent of the amount appropriated for the program.

C.S.H.B. 2902 authorizes the commission to establish a program of state grants to governmental entities to preserve the historically valuable records of those governments.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Historical Commission is modified in SECTION 2 (Section 442.0081, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 442.0081, Government Code, to read as follows:

Sec. 442.0081. HISTORIC COURTHOUSE PRESERVATION AND MAINTENANCE PROGRAMS; GRANTS AND LOANS.

SECTION 2. Amends Section 442.0081, Government Code, by adding Subsection (g-1) and amending Subsection (h), as follows:

(g-1) Requires the Texas Historical Commission (THC), to help protect courthouses that have benefited from the historic courthouse preservation program, to develop and implement a maintenance program to assist counties receiving money under the preservation program in continuing to maintain, repair, and preserve the courthouses. Authorizes the maintenance program to include offering to periodically inspect the courthouses and offering counties technical assistance and information on best practices in maintaining the courthouse.

(h) Requires THC to adopt rules necessary to implement the historic courthouse preservation and maintenance programs (programs).

SECTION 3. Amends Section 442.0083(f), Government Code, to prohibit biennial appropriations to THC for administering the programs during a state fiscal biennium, including providing oversight for the historic courthouse project, from exceeding two-and-a-half, rather than one, percent of the amount appropriated for implementing the programs during the state fiscal biennium.

SECTION 4. Repealer: Section 441.157 (Grant-In-Aid Program), Government Code.

SECTION 5. Effective date: September 1, 2005.