

BILL ANALYSIS

Senate Research Center
81R15347 EAH-D

C.S.S.B. 1694
By: Ogden
Natural Resources
4/10/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Historical Commission (THC) may remove a landmark designation only if it is determined that the landmark has no further historical, archeological, educational, or scientific value. There are many counties that would like to renovate their courthouses and other buildings on the county courthouse square without using funds from the County Courthouse Preservation Program but must meet certain conditions set by THC because the site has been designated a Texas Archeological Landmark (landmark).

C.S.S.B. 1694 amends current law to authorize the removal of the designation of a courthouse square or a courthouse or other real property in a courthouse square as a state archeological landmark.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 191.097, Natural Resources Code, by adding Subsections (c) and (d), as follows:

(c) Requires the Texas Historical Commission (THC) to remove from designation as a landmark a county courthouse square, or a county courthouse, or other real property in a county courthouse square, notwithstanding Subsection (a) (relating to any landmark on public or private land being authorized to be determined by certain manner to be removed from landmark designation), if the commissioners court of the county in which the property is located adopts and submits to THC a resolution seeking the removal of the property from designation as a landmark, and the county in which the property is located has not received any funds from THC for the preservation, restoration, or modification of the property.

(d) Prohibits THC, following the removal of a landmark designation under Subsection (c), from designating as a landmark the county courthouse square or the county courthouse or other real property in the county courthouse square unless the commissioners court of the county in which the property is located adopts a resolution consenting to the designation.

SECTION 2. Effective date: upon passage or September 1, 2009.