

BILL ANALYSIS

Senate Research Center

C.S.S.B. 2307
By: Williams
Administration
4/22/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Prior to the 80th Legislature, the preservation and maintenance of the Governor's Mansion was provided by two state agencies and one organization: the Texas Historical Commission, the Texas Facilities Commission, and the Friends of the Governor's Mansion.

This bill clarifies that the State Preservation Board (SPB) has full responsibility for the management of construction projects and maintenance of the Governor's Mansion; moves responsibility for the preservation of the Governor's Mansion and the mansion collection from the Texas Historical Commission (THC) to the SPB; and requires THC to consult with the SPB on all proposed changes to the Governor's Mansion that relate to the building's status as a Texas Historic Landmark or its listing on the National Register of Historic Places. The legislation does not alter the state's relationship to or involvement with the Friends of the Governor's Mansion, which curates and maintains the mansion collection.

C.S.S.B. 2307 amends current law relating to the preservation and maintenance of the Governor's Mansion.

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 Chapter 443, Government Code, by adding Section 443.029, as follows:

Sec. 443.029. GOVERNOR'S MANSION. (a) Provides that the State Preservation Board (SPB), except as otherwise specifically provided by law, is responsible for the preservation and maintenance of the Governor's Mansion and the protection of the historical and architectural integrity of the mansion's exterior, interior, and grounds. Provides that this section does not limit the authority of the Texas Historical Commission (THC) under Chapter 191 (Antiques Code), Natural Resources Code.

(b) Provides that, except for a change in or to the Pease bedroom, the Sam Houston bedroom, the hallway, or the stairwell, a nonstructural decorative change in or to the private living and guest quarters of the governor and the governor's family on the second floor of the Governor's Mansion does not require the prior approval of SPB or THC.

(c) Provides that THC and the office of the governor are authorized to exercise the powers and are required to perform the duties relating to the Governor's Mansion that are provided by applicable law, subject to the requirements of this section.

SECTION 2. Amends the heading to Section 442.0071, Government Code, to read as follows:

Sec. 442.0071. DUTIES REGARDING GOVERNOR'S MANSION.

SECTION 3. Amends Section 442.0071, Government Code, by amending Subsections (a), (c), and (e) and adding Subsection (f), as follows:

(a) Requires THC to approve construction plans and monitor the work on the Governor's Mansion to ensure compliance with Chapter 191, Natural Resources Code, to ensure the historical and architectural integrity of the mansion's exterior, interior, contents, and grounds. Prohibits a substantial addition, deletion, or other alteration from being made to the mansion or its contents or grounds without the prior approval of THC. Deletes existing text providing that except as otherwise specifically provided by this subsection, THC is solely responsible for the preservation and maintenance of the Governor's Mansion and the protection of the historical and architectural integrity of the mansion's exterior, interior, contents, and grounds. Deletes an existing exception under Subsection (d) (relating to activities of THC, requiring advice and approval of the governor and the governor's spouse under certain circumstances).

(c) Requires THC to contract with a nonprofit organization formed to assist in the preservation and maintenance of the Governor's Mansion to develop and implement a plan for the solicitation and acceptance of gifts, grants, devises, and bequests of money, other property, and services to be used in the acquisition of furnishings, fixtures, works of art, and decorative objects for the Governor's Mansion or for necessary landscaping, conservation, or restoration services. Prohibits a contract under this subsection from exceeding a term of two years, rather than from exceeding a term of two years and requiring a contract to expire on December 31 of an odd-numbered year.

(e) Provides that SPB, rather than the State Purchasing and General Services Commission, and the office of the governor may exercise the powers and are required to perform the duties relating to the Governor's Mansion that are provided by applicable law, subject to the requirements of this section.

(f) Provides that Section 443.007 (General Powers and Duties of Board) does not apply to this section.

SECTION 4. Repealer: Section 442.0071(d) (relating to activities of THC, requiring advice and approval of the governor and the governor's spouse under certain circumstances), Government Code.

SECTION 5. Effective date: upon passage or September 1, 2009.