

BILL ANALYSIS

Senate Research Center
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H.B. 1300
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A recent legislative report examining various ways to increase private contributions for state parks noted that currently, the Texas Parks and Wildlife Department (TPWD) is limited in its authority to expand development of corporate partnerships and joint promotional campaigns. Consequently, TPWD is unable to develop a financially beneficial partnership with a private for-profit company. Consistent with the report's recommendations, H.B. 1300 amends provisions of law to expand the scope of TPWD's fundraising and partnership development activities to include a private entity.

H.B. 1300 amends current law relating to funding for state sites and programs of the Parks and Wildlife Department through private contributions and partnerships and to commercial advertising on certain state sites.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Parks and Wildlife Commission in SECTION 1 (Section 11.225, Parks and Wildlife Code), SECTION 2 (Sections 13.0151 and 13.0155, Parks and Wildlife Code), and SECTION 3 (Section 13.103, Parks and Wildlife Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 11, Parks and Wildlife Code, by adding Subchapter J-1, as follows:

SUBCHAPTER J-1. FOR-PROFIT PARTNERSHIPS

Sec. 11.221. DEFINITIONS. Defines, in this subchapter, "official corporate partner" and "state site."

Sec. 11.222. SELECTION; CONTRACT. (a) Authorizes the Texas Parks and Wildlife Department (TPWD), subject to Texas Parks and Wildlife Commission (TPWC) approval, to select a for-profit entity as an official corporate partner.

(b) Authorizes TPWD to contract with one or more official corporate partners to raise funds for state site operations and maintenance or other priority projects or programs.

Sec. 11.223. GIFTS AND GRANTS; FUND-RAISING. (a) Authorizes an official corporate partner, to raise funds for state site operations and maintenance or other priority projects or programs, to accept contributions, gifts, grants, and promotional campaign proceeds on behalf of TPWD or provide contributions, gifts, grants, and promotional campaign proceeds to TPWD. Requires TPWD to ensure that an official corporate partner transfers the contributions, gifts, grants, and promotional campaign proceeds accepted on behalf of TPWD to TPWD as soon as possible.

(b) Authorizes TPWD to contract with one or more official corporate partners to conduct joint promotional campaigns or other fund-raising efforts conducted by

TPWD to raise funds for state site operations and maintenance or other priority projects or programs.

Sec. 11.224. USE OF FUNDS. Authorizes money received by TPWD under this subchapter, including money received under a contract or licensing or other agreement or as a gift or grant, to be used only for state site operations and maintenance or other priority projects or programs.

Sec. 11.225. RULES. Requires TPWC to adopt rules to implement this subchapter, including rules that establish guidelines or best practices for official corporate partners.

Sec. 11.226. OTHER DONATION AUTHORITY NOT LIMITED. Provides that this subchapter does not limit TPWD's authority to accept donations that are otherwise authorized.

SECTION 2. Amends Subchapter A, Chapter 13, Parks and Wildlife Code, by adding Sections 13.0151 and 13.0155, as follows:

Sec. 13.0151. STATE PARK PASSES. (a) Authorizes TPWD to contract with any entity TPWD considers appropriate to sell state park passes in any of the entity's retail locations.

(b) Authorizes TPWC to adopt rules to implement this section.

Sec. 13.0155. USE OF PARKS AND WILDLIFE DEPARTMENT BRAND. (a) Authorizes TPWD to contract with any entity TPWD considers appropriate to use the Parks and Wildlife Department brand in exchange for licensing fees paid by the entity to TPWD.

(b) Authorizes TPWD to use the licensing fees received under Subsection (a) for any use under this code.

(c) Authorizes TPWC to adopt rules to implement this section.

SECTION 3. Amends Subchapter B, Chapter 13, Parks and Wildlife Code, by adding Section 13.103, as follows:

Sec. 13.103. ADVERTISING. Requires TPWC by rule to prohibit inappropriate commercial advertising in state parks, natural areas, historic sites, or other sites under the jurisdiction of TPWD to preserve the integrity of the sites and to minimize distractions that may interfere with the enjoyment of the sites by visitors.

SECTION 4. Effective date: upon passage or September 1, 2011.