

BILL ANALYSIS

Senate Research Center
87R12277 CJC-F

S.B. 2008
By: Taylor
Natural Resources & Economic Development
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 2008 aims to unify operations at the San Jacinto Battleground and the Monument museum into a more effective public/private operation. The Museum Association is already acknowledged in statute and the bill will update the statute to reflect these past agreements and strengthen the business operation with the merger of the Monument and Battleground into a single business operation, under a single executive manager.

S.B. 2008 represents the culmination of two years of dialogue leading to the agreement and partnership between the Museum Association and the Texas Historical Commission.

As proposed, S.B. 2008 amends current law relating to the San Jacinto Battleground State Historic Site and authorizes fees.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Historical Commission in SECTION 1 (Section 442.252, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 442.252, Government Code, as follows:

Sec. 442.252. New heading: SAN JACINTO MUSEUM AND BATTLEFIELD ASSOCIATION. (a) Creates this subsection from existing text. Defines "association" to mean the San Jacinto Museum and Battlefield Association, which was previously known as the San Jacinto Museum of History Association. Makes a conforming change.

(b) Creates this subsection from existing text. Provides that the association is a nonprofit historical association organized for the purposes of operating the San Jacinto Memorial Building and Tower and establishing a museum. Provides that the association retains ownership of property and historical data held in the name of the association and is authorized to acquire museum accessions by gift, grant, or purchase from association funds. Makes nonsubstantive changes.

(c) Requires the Texas Historical Commission (THC) to designate the association as the entity responsible for operating the San Jacinto Memorial Building and Tower, operating the museum, engaging in related activities on the battleground at the San Jacinto Battleground State Historic Site, and providing financial support for the association's responsibilities under this section. Provides that THC is responsible for maintaining and repairing the San Jacinto Memorial Building and Tower and providing utilities required for operation of the San Jacinto Memorial Building and Tower and related facilities.

(d) Authorizes THC to enter into an agreement with the association for the purposes of:

(1) expanding, renovating, managing, maintaining, operating, or providing financial support for the San Jacinto Battleground State Historic Site,

including the administration and operation of a history museum and related activities in the San Jacinto Memorial Building and Tower or on the battleground;

(2) maintaining, preserving, restoring, and protecting the historic San Jacinto battleground;

(3) promoting and conducting archeological studies at the San Jacinto Battleground State Historic Site;

(4) maintaining, repairing, renovating, restoring, improving, expanding, or equipping the San Jacinto Memorial Building and Tower, museum, or battleground for one or more projects, including construction of new or additional facilities;

(5) designing and fabricating exhibits and preserving, storing, and displaying artifacts, historical data, and items of historical significance, including artifacts, data, and items owned or held by the association;

(6) creating interpretive and educational programs;

(7) acquiring additional artifacts, historical data, and items of historical significance relevant to the battle at San Jacinto, the Texas Revolution and the period in which it occurred, and early Texas settlement and culture; and

(8) preserving, restoring, storing, and conserving artifacts, historical data, and items of historical significance.

(e) Authorizes the association, under the terms of an agreement with THC, in connection with the association's activities regarding the San Jacinto Memorial Building and Tower, the museum, and the San Jacinto Battleground, to charge and collect fees, including entry fees and fees for viewing exhibits or films, attending programs or events, and utilizing the elevator or other facilities, and collect revenue from gift shop and concession sales. Provides that the association is required to hold, invest, manage, use, and apply money received from those fees and sales for the benefit of the San Jacinto Battleground State Historic Site, and is authorized to exercise discretion, subject to the terms of the association's agreement with THC, regarding business operations, exhibits, programing, collection management, preservation, restoration and storage, and site development at the San Jacinto Battleground State Historic Site.

(f) Authorizes THC to appoint two nonvoting members to the association's board of trustees. Authorizes THC to advise the association on museum operations, interpretation, history, preservation, archeology, education, nature, philanthropy, and business development.

(g) Provides that, in the event of the association's dissolution, THC is the sole beneficiary of all items held in the association's name that relate to the revolutionary and battle history of the San Jacinto Battleground State Historic Site and to early Texas settlement and culture, except as otherwise provided by the association's articles of incorporation or the terms of the gift or other transfer of the items to the association. Requires the items for which THC is not the sole beneficiary to be clearly identified and described on an agreed list prepared jointly by THC and the association.

(h) Authorizes THC to adopt rules to establish guidelines under which the association may solicit and accept sponsorships or donations from private entities in connection with the association's activities at the San Jacinto Battleground State Historic Site, and best practices under which the association may engage in

activities described by this section, including procurement guidelines for the use of state funds.

SECTION 2. Amends Subchapter F, Chapter 442, Government Code, by adding Section 442.253, as follows:

Sec. 442.253. EXECUTIVE MANAGER; OTHER EMPLOYEES. (a) Authorizes THC to employ an executive manager to manage the business operations and direct staff at the San Jacinto Battleground State Historic Site.

(b) Provides that the executive manager is responsible for managing the business operations of the San Jacinto Battleground State Historic Site on behalf of THC and the association. Requires that the executive manager's duties as they relate to THC and the association be specified in an agreement between THC and the association.

(c) Authorizes THC to hire employees THC determines are necessary to fulfill THC's duties and responsibilities related to the San Jacinto Battleground State Historic Site. Provides that the employees report to the executive manager.

SECTION 3. Effective date: September 1, 2021.