

## **BILL ANALYSIS**

Senate Research Center  
83R14940 YDB-D

C.S.S.B. 615  
By: Estes  
Government Organization  
3/12/2013  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law does not expressly allow or prohibit the Texas Historical Commission (THC) to contract with for-profit corporations. C.S.S.B. 615 expressly allows THC to contract with for-profit corporations for the expansion, renovation, management, operation, or financial support of historical sites.

C.S.S.B. 615 amends current law relating to the contracting authority of the Texas Historical Commission.

### **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 442.005(o), Government Code, as follows:

(o) Authorizes the Texas Historical Commission (THC) to enter into contracts with other state agencies or institutions, qualified private institutions, and other persons, including for-profit corporations, to carry out the purposes of this chapter. Prohibits a contract with a for-profit corporation under this chapter from permitting any property preserved, maintained, or administered by THC under this chapter to display any corporate name, logo, or product other than a discrete plaque or similar acknowledgement that does not detract from the property's historic purpose. Makes nonsubstantive changes.

SECTION 2. Amends Section 442.0056(b), Government Code, to authorize THC to enter into interagency contracts and contracts with other persons, including for-profit corporations, for the purpose of restoring and maintaining each historic site acquired under this section for the benefit of the general public.

SECTION 3. Amends Section 442.007(c), Government Code, to authorize THC to enter into contracts or cooperative agreements with the federal government, other state agencies, state or private museums or educational institutions, or qualified persons, including for-profit corporations, rather than qualified individuals, for prehistoric or historic archeological investigations, surveys, excavations, or restorations in this state.

SECTION 4. Amends Section 442.072(c), Government Code, to authorize THC to enter into an agreement with a nonprofit or for-profit corporation, foundation, association, or other nonprofit or for-profit entity for the expansion, renovation, management, operation, or financial support of a historic site.

SECTION 5. Amends Section 442.075(d), Government Code, to authorize THC, on or after the transfer of jurisdiction over a historic site, to enter into an agreement with a nonprofit or for-profit corporation, including the Admiral Nimitz Foundation, for the expansion, renovation, management, operation, or financial support of the site.

SECTION 6. Amends Section 442.101(b), Government Code, to authorize THC to contract with any appropriate entity, including a for-profit corporation, for services necessary to carry out its responsibilities regarding historic sites described by Subchapter C (Certain Historic Sites).

SECTION 7. Makes application of this Act prospective.

SECTION 8. Effective date: September 1, 2013.