

BILL ANALYSIS

Senate Research Center

H.B. 2439
By: Goolsby (Cain)
Administration
5/4/2001
Engrossed

DIGEST AND PURPOSE

Under current law, there is an inaugural fund in the state treasury used only for expenditures reasonably related to conducting inaugural ceremonies and related events. After the inauguration, the inaugural committee delivers to the state treasurer all unexpended non-appropriated funds, which are then deposited in the state treasury to the credit of the inaugural fund. Since money in the fund can only be used for inaugural ceremonies, there is a standing account balance that can only serve Texans every four years. H.B. 2439 creates the inaugural endowment fund from the surplus balance of the inaugural fund exceeding \$100,000, plus any amounts necessary to cover fund obligations, and allows this money to be used for certain preservation projects and for grants to public schools and libraries.

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 401A, Government Code, by adding Section 401.011, as follows:

Sec. 401.011. INAUGURAL ENDOWMENT FUND. (a) Provides that to the extent that the balance of the inaugural fund exceeds \$100,000 plus the amount necessary to cover fund obligations, on the date the inaugural committee appointed for an inauguration is dissolved that balance is required to be transferred to an account in the general revenue fund to be known as the inaugural endowment fund. Requires the fund to be administered and expended in accordance with this section.

(b) Authorizes the fund to be expended for decorating, furnishing, preserving, or improving the Capitol, the Governor's Mansion, or other state property of historical significance or for grants in support of public schools or public libraries at the discretion of the inaugural endowment fund committee.

(c) Provides that the inaugural endowment fund committee is composed of the chair of the Texas Historical Commission, a person appointed by the governor, a person appointed by the lieutenant governor, and a person appointed by the speaker of the house of representatives. Authorizes the spouse of the governor, of a member of the legislature, or of another state officer to be appointed to the committee, notwithstanding other law. Requires the governor to designate the chair of the committee from among the members.

(d) Provides that appointed members of the committee serve for terms of two years, expiring on the third Tuesday in January in odd-numbered years. Provides that committee members serve without compensation or reimbursement for travel or personal expenses incurred in carrying out committee duties, except that the service of the chair of the Texas Historical Commission is considered an additional duty of that

office and expenses for that person are required to be reimbursed by the commission to the same extent as for performance of other commission duties.

(e) Prohibits operations of the committee from being conducted at state expense, and prohibits committee functions from being carried out through the use of state personnel or equipment.

(f) Requires the committee to file a report with the secretary of state, not later than October 1 of each year, detailing expenditures made during the 12 months ending on the August 31 preceding the report. Requires the secretary of state to publish the report in the Texas Register.

(g) Provides that the committee is a governmental body for purposes of Chapters 551 and 552 but is not subject to Chapter 2001.

(h) Provides that Section 403.095 does not apply to the inaugural endowment fund.

SECTION 2. Effective date: February 1, 2003.

- Requires the governor, lieutenant governor, and speaker of the house of representatives to make the initial appointments to the inaugural endowment fund committee not later than March 1, 2003.