

BILL ANALYSIS

Senate Research Center
86R28131 YDB-F

C.S.S.B. 907
By: Hughes
Administration
4/24/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The only known remaining boundary marker for the Republic of Texas stands along Texas State Highway 31 near Deadwood, Texas. This four-foot tall, granite piece was placed in 1841 as a designated boundary line between the United States and the Republic of Texas. With the inscriptions still visible in the stone, this monument is considered a treasure from a period of Texas history that has very few tangible pieces surviving. The marker is flanked by a Texas Historical Marker, but its only protection from time, weather, and the threat of vandalism is a short, old, rusting, iron fence. The importance of preserving this relic of our state's history is at risk and is an ongoing concern.

Contingent upon funding through private donations, S.B. 907 will direct the Texas Historical Commission to protect and preserve the International Boundary Marker. This bill ensures the boundary marker stays in high visibility to the public, including any facilities needed to adequately display and protect the marker and accommodate the public. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 907 amends current law relating to the preservation, maintenance, and improvement of the Republic of Texas Granite Boundary Marker.

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 Subchapter A, Chapter 442, Government Code, by adding Section 442.0074, as follows:

Sec. 442.0074. PRESERVATION, MAINTENANCE, AND IMPROVEMENT OF REPUBLIC OF TEXAS GRANITE BOUNDARY MARKER. (a) Defines "boundary marker" for purposes of this section.

(b) Requires the Texas Historical Commission (THC), to the extent authorized by law, to preserve, maintain, and improve the boundary marker and state land adjacent to the boundary marker and to:

- (1) design and construct a structure or device sufficient to protect the boundary marker from vandalism, theft, and natural elements;
- (2) display historical and educational information on a sign or plaque at the boundary marker site to inform the public of the history of the boundary marker and the region;
- (3) cooperate with the federal government and other persons as necessary to facilitate the implementation of duties imposed by this section; and

(4) take other action THC determines necessary to preserve, maintain, restore, and improve the boundary marker and the state grounds adjacent to the boundary marker for the beautification and cultural enhancement of the property as a significant historical site in this state.

(c) Provides that, notwithstanding any other law, any power or duty related to the boundary marker formerly vested in another state agency is vested solely in THC.

(d) Authorizes THC to spend money appropriated to THC for purposes of this section only to accomplish those purposes.

(e) Authorizes THC to solicit and accept gifts, grants, and donations of money or property from any public or private source to be used for the purposes of this section.

(f) Authorizes THC, in consultation with each state senator and representative in whose district the boundary marker is located and other interested parties, to:

(1) replace the original boundary marker with a replica boundary marker;

(2) preserve, maintain, and display the original boundary marker at the Bob Bullock Texas State History Museum; and

(3) perform the duties assigned by Subsection (b) with respect to the replica boundary marker at the original boundary marker location.

SECTION 2. Provides that THC is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. Authorizes, but does not require, THC, if the legislature does not appropriate money specifically for that purpose, to implement a provision of this Act using other appropriations available for that purpose.

SECTION 3. Effective date: September 1, 2019.