

BILL ANALYSIS

Senate Research Center

S.B. 1269
By: Whitmire
Natural Resources & Economic Development
5/25/2021
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Alternative to "Municipality" – The Texas Historical Commission (THC) works directly with municipal governments in most main street program communities but through four decades the agency has also frequently worked with nonprofits organized for the purpose in larger towns, always with municipal concurrence and oversight. Using "communities" in place of "municipalities" in all references will allow flexibility and address any issues of program conformance with the law.

"Central Business Districts" – The main street program enables economic development and heritage tourism by focusing on the historic preservation of commercial structures in central business districts. In urban areas the program has fostered a number of successful main street nonprofits in historic commercial districts away from the downtowns of Houston, Dallas, or San Antonio. Recognizing "historic neighborhood commercial districts" in addition to "central business districts" would support those efforts, encourage more applicants, and retain the original focus on commercial properties.

"Each Year" – THC main street program architects, designers, and planners support communities by providing the town and its commercial property owners a vision of what the historic downtown can be with focused investment. Current wording requires a great deal to be accomplished within 12 months before engaging with the next set of applicants. Revising the statute to allow commissioners to set the cycle timing by rule will provide new participants improved opportunities to learn, study their options, plan, and succeed.

Subsection (c) distinctions – Regardless of the intent in 1989 the elements of this subsection after the word "program" in the first sentence are not utilized in the program and cause confusion for prospective applicants. Deleting wording after the first reference to "program" will resolve those issues.

"Recover" the Costs – THC charges fees to program participants as specified by law. Using "offset" rather than "recover" may better reflect fees that encourage participation. The current fee structure will not be reduced in response to a change of wording.

S.B. 1269 amends current law relating to the main street program administered by the Texas Historical Commission.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Historical Commission is modified in SECTION 1 (Section 442.014, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 442.014, Government Code, as follows:

Sec. 442.014. MAIN STREET PROGRAM. (a) Requires the Texas Historical Commission (THC) to administer a main street program (program) to assist communities, rather than municipalities, with the development, restoration, and preservation of their

historic neighborhood commercial districts and central business districts, rather than their central business districts.

(b) Requires THC to designate certain communities to participate in the program as official main street cities. Deletes existing text requiring THC to designate certain municipalities each year. Makes a nonsubstantive change.

(c) Requires THC by rule to prescribe the frequency of community designations and qualification standards for participation in the program. Deletes existing text requiring THC by rule to prescribe qualification standards for participation in the program as a main street city or as an urban main street city. Deletes existing text authorizing any municipality not designated under Subsection (b) to apply with THC to participate in the program under this subsection.

(d) Requires THC by rule to prescribe a fee schedule for participation in the program under Subsection (c). Requires THC to collect fees from the participating communities to offset costs, rather than to recover the costs, of participation in the program. Makes a conforming change.

SECTION 2. Requires THC, as soon as practicable after the effective date of this Act, to adopt the rules necessary to administer Section 442.014, Government Code, as amended by this Act.

SECTION 3. Effective date: September 1, 2021.