

BILL ANALYSIS

Senate Research Center

H.B. 1216
By: Edwards (Patterson)
State Affairs
5-14-97
Engrossed

DIGEST

Currently, Juneteenth commemorates the arrival of President Lincoln's Emancipation Proclamation in Texas on June 19, 1865, bringing about the freeing of approximately 250,000 slaves. Since that time, the anniversary of this occasion has been celebrated by Texans through festivals, political rallies, and a state holiday. African-Americans in several local communities gathered funds to purchase Emancipation Parks to provide a location for the celebrations. H.B. 1216 would create the Texas Emancipation Juneteenth and Historical Commission in order to catalogue and commemorate the history of Juneteenth.

PURPOSE

As proposed, H.B. 1216 outlines provisions regarding the creation and operation of the Texas Emancipation Juneteenth Cultural and Historical Commission.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Emancipation Juneteenth Cultural and Historical Commission (commission) under SECTION 1 (Sections 448.031 and 448.032, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 4D, Government Code, by adding Chapter 448, as follows:

CHAPTER 448. TEXAS EMANCIPATION JUNETEENTH

CULTURAL AND HISTORICAL COMMISSION

SUBCHAPTER A. GENERAL AND ADMINISTRATIVE PROVISIONS

Sec. 4448.001. DEFINITIONS. Defines "commission" and "Juneteenth."

Sec. 448.002. SUNSET PROVISION. Provides that the Texas Emancipation Juneteenth Cultural and Historical Commission (commission) is subject to Chapter 325 (Texas Sunset Act). Provides that unless continued in existence as provided by that chapter, the commission is abolished and this chapter expires September 1, 2001.

Sec. 448.003. COMPOSITION OF COMMISSION. Sets forth the composition of the commission.

Sec. 448.004. APPOINTMENT. Sets forth requirements regarding appointments to the commission.

Sec. 448.005. ELIGIBILITY OF EX OFFICIO MEMBERS. Sets forth the eligibility of ex officio members.

Sec. 448.006. CONFLICTS OF INTEREST; REMOVAL PROVISIONS. Outlines provisions regarding conflicts of interest and removal from the commission.

Sec. 448.007. TERMS. Provides that public members of the commission serve staggered terms of six years with the terms of one-third of the members expiring on February 1 of each odd-numbered year.

Sec. 448.008. OFFICERS; SUBCOMMITTEES. Requires the commission annually to elect one of its members as presiding officer. Authorizes the presiding officer of the commission to appoint subcommittees for any purpose consistent with the duties of the commission under this chapter.

Sec. 448.009. COMPENSATION; EXPENSES. Outlines provisions regarding compensation for travel expenses.

Sec. 448.010. MEETINGS; PUBLIC ACCESS. Sets forth provisions and requirements regarding meetings and public access to the commission.

Sec. 448.011. ANNUAL REPORT. Sets forth requirements for the establishment of an annual report.

SUBCHAPTER B. POWERS AND DUTIES; FUNDING

Sec. 448.031. GENERAL POWERS AND DUTIES OF THE COMMISSION. Sets forth general powers and duties of the commission.

Sec. 448.032. DONATIONS; APPROPRIATIONS; AUDIT. Authorizes the commission, on behalf of the state, to accept donations, gifts, grants, property, or matching funds from a public or private source for the use of the commission in performing its functions under this chapter. Requires the commission, by rule, to establish an acquisition policy for accepting property or art objects related to the commission's purpose.

Sec. 4448.033. EMANCIPATION JUNETEENTH CULTURAL AND HISTORICAL COMMISSION ACCOUNT. Provides that the Emancipation Juneteenth Cultural and Historical Commission Account is created as an account in the general revenue fund. Requires the commission to remit all money collected under this chapter to the comptroller for deposit to the credit of the account. Authorizes money in the account to be appropriated only to the commission for administration of this chapter.

SECTION 2. Provides that as soon as possible after the effective date of this Act, the governor shall appoint initial public members of the commission. Requires the governor to designate two members for terms expiring February 1, 1999, two for terms expiring February 1, 2001, and two for terms expiring February 1, 2003 in making the appointments.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.