

BILL ANALYSIS

Senate Research Center
79R1005 MXM-D

S.B. 233
By: Ellis
Government Organization
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The state of Texas is a bastion of cultural and historical sites and it is imperative that we continue to ensure that the rich cultural history of our state is preserved. As proposed, S.B. 233 gives the Texas Historical Commission, Texas' state agency for historical preservation, the authority to ensure that significant historical sites and structures in Texas are protected and preserved. It also seeks to include the input of affected communities in the important decisions that can affect the character and integrity of their neighborhoods.

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 191.0525(d), Natural Resources Code, as follows:

(d) Provides that a project for a county, municipality, or an entity created under Section 52, Article III (Counties, Cities, or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds) or Section 59, Article XVI (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Texas Constitution, requires advance project review only if the project affects a cumulative area larger than one acre, rather than five acres, or disturbs a cumulative area of more than 1,000, rather than 5,000, cubic yards, or if the project is inside a designated historic district or recorded archeological site.

SECTION 2. Amends Section 191.092(f), Natural Resources Code, as follows:

(f) Provides that, before the Texas Historical Commission (committee) may designate a structure or building as a state archeological landmark, the structure or building must be listed, or be eligible to be listed, on the National Register of Historic Places.

SECTION 3. Amends Section 191.098, Natural Resources Code, by amending Subsections (a) and (b) and adding Subsection (d), as follows:

(a) Prohibits a state agency or political subdivision from altering, renovating, or demolishing a building possessed by the state or a political subdivision that was constructed at least 50 years before and that has not been designated a landmark by the committee, without notifying the committee of the proposed change not later than the 60th day before the day on which the agency or political subdivision begins the change.

(b) Makes conforming and nonsubstantive changes.

(d) Provides that, not later than the 15th day before the day on which a political subdivision begins the changes to the building under Subsection (a), the state agency or political subdivision must hold a public hearing on the proposed change under certain circumstances.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2005.