

BILL ANALYSIS

Senate Research Center

S.B. 1694
By: Ogden
Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Historical Commission (THC) may remove a landmark designation only if it is determined that the landmark has no further historical, archeological, educational, or scientific value. There are many counties that would like to renovate their courthouses and other buildings on the county courthouse square without using funds from the County Courthouse Preservation Program but must meet certain conditions set by THC because the site has been designated a Texas Archeological Landmark (landmark).

As proposed, S.B. 1694 amends Chapter 191.097, Natural Resources Code, to require THC to remove the landmark designation of a county courthouse square, county courthouse, or any other real property on the square if the county commissioners court adopts and submits to THC a resolution seeking the removal. S.B. 1694 also requires that if a landmark designation has been removed, THC may not designate the site or building as a landmark unless a county commissioners court adopts a resolution consenting to the designation.

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 191.097, Natural Resources Code, by adding Subsection (c) [*sic*], as follows:

(c) Authorizes the Texas Historical Commission (THC) to remove from designation as a landmark a county courthouse square, county courthouse, or other real property in a county courthouse, notwithstanding Subsection (a), if the commissioners court adopts and submits to THC a resolution seeking the removal from designation as a landmark the county courthouse square, county courthouse, or other real property in a county courthouse square; and the county in which the county courthouse square, county courthouse, or other real property in the county courthouse square is located has not received any funds from THC for the preservation, restoration, or modification or the county courthouse square, county courthouse, or other real property.

(d) Prohibits THC from designating as a landmark a county courthouse square, county courthouse, or other real property in a county courthouse square after removal of a landmark designation under Subsection (c) unless the county commissioners court adopts a resolution consenting to the designation.

SECTION 2. Effective date: upon passage or September 1, 2009.