

## **BILL ANALYSIS**

Senate Research Center  
86R34843 BEE-D

C.S.H.B. 2913  
By: Zerwas (Kolkhorst)  
Transportation  
5/18/2019  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Certain real property, currently owned by the Department of Public Safety of the State of Texas (DPS), is adjacent to Child Advocates of Fort Bend's office in Rosenberg. H.B. 2913 seeks to provide for the transfer of that property to the Child Advocates of Fort Bend.

C.S.H.B. 2913 requires DPS to transfer to Child Advocates of Fort Bend certain real property as described by the bill. The bill requires Child Advocates of Fort Bend to use the property only for a purpose that benefits the public interest of the state and provides for the automatic reversion of property ownership to DPS if the property is used for any other purpose. The bill requires DPS to transfer the property by an appropriate instrument of transfer and sets out certain requirements for the instrument of transfer. The bill requires DPS to retain custody of the instrument of transfer after it is filed in the real property records of Fort Bend County. (Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 2913 amends current law relating to the transfer of certain real property held by the Department of Public Safety of the State of Texas and the transfer of jurisdiction over management of the Star of the Republic Museum to the Texas Historical Commission.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

#### ARTICLE 1. TRANSFER OF CERTAIN PROPERTY OF DEPARTMENT OF PUBLIC SAFETY

SECTION 1.001. (a) Requires the Department of Public Safety of the State of Texas (DPS), as soon as practicable after the effective date of this Act, to transfer to Child Advocates of Fort Bend the real property described by Section 1.002 of this Act.

(b) Requires Child Advocates of Fort Bend to use the property transferred under this Act only for a purpose that benefits the public interest of the state. Provides that, if Child Advocates of Fort Bend uses the property for any purpose other than a purpose that benefits the public interest of the state, ownership of the property automatically reverts to DPS.

(c) Requires DPS to transfer the property by an appropriate instrument of transfer. Requires the instrument of transfer to provide that:

(1) Child Advocates of Fort Bend use the property only for a purpose that benefits the public interest of the state; and

(2) ownership of the property will automatically revert to DPS if Child Advocates of Fort Bend uses the property for any purpose other than a purpose that benefits the public interest of the state.

(d) Requires DPS to retain custody of the instrument of transfer after the instrument of transfer is filed in the real property records of Fort Bend County.

SECTION 1.002. Sets forth the metes and bounds of the real property referred to in Section 1.001 of this Act.

ARTICLE 2. TRANSFER OF JURISDICTION OVER AND MANAGEMENT OF STAR OF THE REPUBLIC MUSEUM

SECTION 2.001. Amends Chapter 442, Government Code, by adding Subchapter B-1, as follows:

SUBCHAPTER B-1. STAR OF THE REPUBLIC MUSEUM

Sec. 442.061. DEFINITION. Defines "museum" to mean the Star of the Republic Museum for purposes of this subchapter.

Sec. 442.062. JURISDICTION AND MAINTENANCE OF MUSEUM. (a) Provides that the museum and its contents are under the jurisdiction of the Texas Historical Commission (THC). Provides that THC is responsible for the preservation, maintenance, and operation of the museum.

(b) Provides that, notwithstanding Subsection (a), Blinn College District maintains ownership of the museum, the land on which the museum is located, and the artifacts in the museum.

(c) Provides that, except as provided by Subsection (b), any power or duty related to the museum formerly vested in any other state agency or entity is vested solely in THC.

(d) Requires THC to, in coordination with an advisory committee appointed by the board of trustees of the Blinn College District, promote the educational and public awareness programs at the museum, the Washington-on-the-Brazos State Historic Site, and the Barrington Living History Farm.

Sec. 442.063. GRANTS; DONATIONS. Authorizes THC to accept a grant or donation for any program or purpose of the museum.

SECTION 2.002. (a) Provides that, on January 1, 2020, the following are transferred to THC:

(1) all powers and duties of Blinn College District relating to the museum;

(2) all unobligated and unexpended funds appropriated, donated, or contributed to Blinn College District designated for the administration of any part of the museum; and

(3) all files and other records of Blinn College District kept by Blinn College District Regarding the museum.

(b) Requires Blinn College District, notwithstanding any other law, to continue to perform functions and activities related to the museum until January 1, 2020, and provides that the former law is continued in effect for that purpose.

ARTICLE 3. EFFECTIVE DATES

SECTION 3001. (a) Effective date, except as provided by Subsection (b) of this section: September 1, 2019.

(b) Effective date, Article I of this Act: upon passage or September 1, 2019.