

## **BILL ANALYSIS**

Senate Research Center  
86R4241 SRA-D

S.B. 496  
By: Perry  
Natural Resources & Economic Development  
3/8/2019  
As Filed

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

According to the Texas Historical Commission, the Texas Historic Courthouse Preservation Program (THCPP) provides partial matching grants to Texas counties for the restoration of their historic county courthouses. The program awards planning and construction grants based upon the sum of scores assigned to 20 criteria, and emergency grants based primarily upon the score assigned to the endangerment category.

The Texas Historical Commission (THC) is charged with adopting rules to help them assess and score grant applications to restore historic courthouses. These rules are used to determine which projects will be funded. THC recently adopted a rule, found in Texas Administrative Code (TAC) Title 13, Part 2, Chapter 12.9(b)(22), which takes into account a county's or municipality's total taxable value of property during their criteria scoring process.

This rule addresses an issue raised by stakeholders regarding the scoring criteria used to award state grants to counties for restoration of historic county courthouses. The rule will help counties with low overall property values, and corresponding smaller tax revenues, fairly compete for these important preservation grants.

Commissioners of THC adopted the rules revision based on an advisory committee's recommendations in 2018.

In order to produce uniformity between rules and statute and for long-term predictability for local officials, S.B. 496 places this rule in statute.

As proposed, S.B. 496 amends current law relating to factors the Texas Historical Commission considers in reviewing an application for a grant or loan through the historic courthouse preservation program.

### **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 442.0081(e), Government Code, to require the Texas Historical Commission, in considering whether to grant an application for a grant or loan to a county or municipality that owns a historic courthouse, to consider the county's or municipality's local funding capacity as measured by the total taxable value of properties in the county or municipality, as applicable.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2019.