



# Texas Historical Commission

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*H.B. 12 Hilderbran, et al. (Estes)*

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## Summary

The Texas Historical Commission (THC), the state agency for historic preservation, traces its history to 1953. The Commission's mission is to protect and preserve Texas' unique historic resources. The Commission identifies, designates, preserves, and interprets historic resources in Texas; reviews proposed projects that impact those resources; and provides assistance to communities and organizations for developing and preserving historic resources. The agency operated with a budget of about \$11 million in fiscal year 2006 and employs about 110 staff.

Senate Bill 900 as introduced contained all of the Sunset Commission's recommendations on THC, including provisions to clearly define the agency's relationship with the Friends of the Texas Historical Commission and create a statewide approach for historical markers. When the bill reached the House, the House committee added a new provision that removes the specific qualifications for appointment to the Historical Commission. However, S.B. 900 failed to pass. Instead, the Sunset provisions originally in S.B. 900, and the appointment qualification provision, were incorporated into House Bill 12, which makes changes to law affecting both the Texas Parks and Wildlife Department and THC. The list below summarizes the major Sunset provisions regarding THC included in H.B. 12, and a more detailed discussion follows.

## Sunset Provisions

1. Require the Texas Historical Commission to adopt rules governing the relationship between the agency and its associated nonprofit corporation.
2. Require THC to create a statewide strategy for awarding historical markers.
3. Continue the Texas Historical Commission for 12 years.

## Provision Added by the Legislature

4. Remove the specific composition requirements for Commission members of the Texas Historical Commission.

## *Sunset Provisions*

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### **1. Require the Texas Historical Commission to adopt rules governing the relationship between the agency and its associated nonprofit corporation.**

House Bill 12 requires THC to adopt rules governing the relationship between the agency and any affiliated nonprofit organization that helps raise money for preservation projects. The legislation requires the agency to adopt rules defining the relationship between agency staff and the nonprofit. The Legislature modified the Sunset provision to clarify that the agency must define what type of involvement regulatory employees can have in fundraising activities, but that these employees cannot directly solicit funds.

The bill prohibits THC's Executive Director from serving as a voting member of the board of any affiliated nonprofit organization. Finally, H.B. 12 requires THC to establish guidelines that will identify and define the type of administrative and financial support the agency should give to the nonprofit organization Friends of the Texas Historical Commission.

### **2. Require THC to create a statewide strategy for awarding historical markers.**

House Bill 12 requires the Commission to develop statewide themes for the marker program related to its broader preservation goals for the State and give priority to markers that relate to those themes. The bill requires the Commission to limit the number of markers it awards annually.

### **3. Continue the Texas Historical Commission for 12 years.**

The legislation continues the Texas Historical Commission as an independent agency for 12 years.

## *Provision Added by the Legislature*

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### **4. Remove the specific composition requirements for Commission members of the Texas Historical Commission.**

The Legislature added a provision to H.B. 12 that maintains the 17-member commission but removes the specific qualifications needed for appointment to the Historical Commission. The bill removes the requirements for the appointment of a professional archeologist, a professional historian, a licensed architect who has expertise in historical preservation and architectural history, 14 public members, and at least two members from counties with a population of less than 50,000.

## *Fiscal Implication Summary*

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None of the provisions in House Bill 12 related to the Sunset Commission's recommendations on the Texas Historical Commission will have a net fiscal impact to the State.