

1-1 By: Metcalf (Senate Sponsor - Kolkhorst) H.B. No. 4187  
 1-2 (In the Senate - Received from the House April 30, 2025;  
 1-3 May 1, 2025, read first time and referred to Committee on Economic  
 1-4 Development; May 14, 2025, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 4, Nays 1;  
 1-6 May 14, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12		X		
1-13	X			

1-14 COMMITTEE SUBSTITUTE FOR H.B. No. 4187 By: Sparks

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to the authority and responsibilities of the Texas  
 1-18 Historical Commission; authorizing fees.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subchapter A, Chapter 442, Government Code, is  
 1-21 amended by adding Section 442.0046 to read as follows:

1-22 Sec. 442.0046. AUTHORITY OF EXECUTIVE DIRECTOR TO ENTER  
 1-23 CERTAIN CONTRACTS. (a) The executive director may negotiate with  
 1-24 and award a contract for goods or services to any qualified vendor  
 1-25 if the executive director:

1-26 (1) solicits bids for the goods or services through a  
 1-27 competitive process in compliance with all applicable laws,  
 1-28 including Chapters 2155, 2254, and 2269, that fails to result in  
 1-29 competitive responsive bids;

1-30 (2) makes a written determination that resoliciting  
 1-31 bids for the goods or services would:

1-32 (A) be unlikely to result in responsive bids;

1-33 (B) increase costs to the commission; or

1-34 (C) delay the ability of the commission to  
 1-35 address a critical need; and

1-36 (3) determines that the vendor meets the requirements  
 1-37 of the original solicitation.

1-38 (b) To the extent practicable, the executive director may  
 1-39 combine the procurement of multiple goods or services into a single  
 1-40 competitively bid contract to enhance the contract's attraction for  
 1-41 potential vendors.

1-42 SECTION 2. Section 442.005(p), Government Code, is amended  
 1-43 to read as follows:

1-44 (p) The commission may accept a gift, grant, devise, or  
 1-45 bequest of money, securities, services, or property to carry out  
 1-46 any purpose of this chapter, including funds raised or services  
 1-47 provided by a volunteer or volunteer group to promote the work of  
 1-48 the commission. The commission may participate in the establishment  
 1-49 and operation of an affiliated nonprofit organization whose  
 1-50 purpose is to raise funds for or provide services or other benefits  
 1-51 to the commission or one or more historic sites as defined by  
 1-52 Section 442.071.

1-53 SECTION 3. Sections 442.0151(b), (f), and (h), Government  
 1-54 Code, are amended to read as follows:

1-55 (b) The historic infrastructure sustainability trust fund  
 1-56 is created as a trust fund outside the treasury held by the trust  
 1-57 company and administered by the comptroller as trustee on behalf of  
 1-58 the people of this state to generate earnings on money in the fund  
 1-59 for the purpose of maintaining, preserving, rehabilitating,  
 1-60 improving, and restoring historic sites throughout the state.

2-1 (f) The commission annually may request a distribution from  
2-2 the fund in an amount that may not exceed the amount the trust  
2-3 company determines is available for distribution in the applicable  
2-4 year under Subsection (d). Money distributed from the fund to the  
2-5 commission may be used only for the purpose of maintaining,  
2-6 preserving, rehabilitating, improving, and restoring state  
2-7 historic sites under the control of the commission and for the  
2-8 historic courthouse preservation program under Section 442.0081.  
2-9 The commission shall allocate at least one-third of each annual  
2-10 distribution from the fund under this subsection for the historic  
2-11 courthouse preservation program. The commission may not use money  
2-12 received from an annual distribution under this subsection to pay  
2-13 salaries, employee benefits, costs associated with employee  
2-14 benefits, or administration, operating, or program costs of the  
2-15 commission.

2-16 (h) The commission may receive an additional distribution  
2-17 from the fund under Subsection (g) only after the commission  
2-18 certifies to the Legislative Budget Board that:

2-19 (1) the commission has reviewed and approved the use  
2-20 of the money;

2-21 (2) all purchases made with the money will conform to  
2-22 any applicable provision of law governing state procurement and  
2-23 contracting; and

2-24 (3) the money will not be used to:

2-25 (A) pay salaries, employee benefits, costs  
2-26 associated with employee benefits, or administration, operating,  
2-27 or program costs of the commission or the state historic sites under  
2-28 the control of the commission;

2-29 (B) acquire new historic sites [~~or real~~  
2-30 ~~property~~]; or

2-31 (C) purchase capital equipment that is not  
2-32 related to the rehabilitation or restoration of a historic site  
2-33 under the control of the commission or the historic courthouse  
2-34 preservation program under Section 442.0081.

2-35 SECTION 4. Subchapter A, Chapter 442, Government Code, is  
2-36 amended by adding Section 442.034 to read as follows:

2-37 Sec. 442.034. PRESERVATION, MAINTENANCE, AND REPAIR OF  
2-38 CERTAIN HISTORICAL MARKERS. (a) In this section:

2-39 (1) "Civil War centennial marker" means a marker  
2-40 installed as part of the celebration of the centennial of the Civil  
2-41 War.

2-42 (2) "Institution of higher education" and "university  
2-43 system" have the meanings assigned by Section 61.003, Education  
2-44 Code.

2-45 (3) "Marker" means a marker, monument, or other  
2-46 memorial installed on public or private property to commemorate an  
2-47 area, event, or person that is engraved with text or to which a  
2-48 plaque with text is attached.

2-49 (4) "Republic of Texas centennial marker" means a  
2-50 marker installed as part of the celebration of the centennial of the  
2-51 Republic of Texas.

2-52 (b) This section applies only to a Civil War centennial  
2-53 marker or a Republic of Texas centennial marker that was installed  
2-54 by or at the direction of:

2-55 (1) the former Centennial Commission;

2-56 (2) the former Texas Civil War Centennial Commission;

2-57 (3) the commission or a predecessor of the commission;

2-58 or

2-59 (4) the Republic of Texas.

2-60 (c) A Civil War centennial marker or a Republic of Texas  
2-61 centennial marker is state property, regardless of whether the  
2-62 marker is located on public or private property.

2-63 (d) The commission has jurisdiction over and is responsible  
2-64 for the preservation, maintenance, and repair of Civil War  
2-65 centennial markers and Republic of Texas centennial markers.

2-66 (e) This section may not be construed as transferring  
2-67 ownership or control of, or the responsibility to preserve,  
2-68 maintain, or repair, a museum, exhibition building, or other  
2-69 building that is:

3-1 (1) associated with or located near a Civil War  
3-2 centennial marker or a Republic of Texas centennial marker; and  
3-3 (2) owned or operated by a private entity,  
3-4 municipality, county, or institution of higher education or  
3-5 university system.

3-6 SECTION 5. Chapter 442, Government Code, is amended by  
3-7 adding Subchapter A-1 to read as follows:

3-8 SUBCHAPTER A-1. AFFILIATED NONPROFIT ORGANIZATIONS; FRIENDS OF THE  
3-9 TEXAS HISTORICAL COMMISSION

3-10 Sec. 442.041. DEFINITION. In this subchapter,  
3-11 "organization" means an affiliated nonprofit organization  
3-12 established under Section 442.005(p), including the Friends of the  
3-13 Texas Historical Commission or any other affiliated nonprofit  
3-14 organization referenced in this chapter.

3-15 Sec. 442.042. PURPOSE. The commission shall designate each  
3-16 organization as responsible for providing:

3-17 (1) services and other benefits to the commission or a  
3-18 historic site defined by Section 442.071; and

3-19 (2) financial support as requested by the commission  
3-20 and approved by the organization's board.

3-21 Sec. 442.043. RULES; GUIDELINES. (a) The commission shall  
3-22 adopt rules:

3-23 (1) establishing guidelines under which an  
3-24 organization may solicit and accept sponsorships or donations from  
3-25 private entities in connection with commission activities;

3-26 (2) establishing best practices under which an  
3-27 organization may engage in business activities described by this  
3-28 subchapter;

3-29 (3) requiring an organization to comply with specified  
3-30 standards and safeguards for the accounting of state assets held by  
3-31 the organization; and

3-32 (4) governing the relationship between the commission  
3-33 and an organization that, at a minimum:

3-34 (A) define the extent to which commission  
3-35 employees with regulatory responsibilities, including the  
3-36 executive director, may participate in activities that raise funds  
3-37 for an organization, which may not include the direct solicitation  
3-38 of funds; and

3-39 (B) define the relationship between commission  
3-40 employees and an organization.

3-41 (b) The commission shall establish guidelines for  
3-42 identifying and defining the administrative and financial support  
3-43 the commission may provide for an organization.

3-44 Sec. 442.044. AGREEMENTS. (a) Notwithstanding any other  
3-45 law, an organization and the commission may enter into an agreement  
3-46 to use state money for the following purposes:

3-47 (1) expanding, renovating, or improving historic  
3-48 sites or facilities, including through construction;

3-49 (2) maintaining, preserving, restoring, and  
3-50 protecting historical markers, monuments, and historic sites;

3-51 (3) promoting and conducting archeological studies;

3-52 (4) designing and fabricating exhibits and  
3-53 preserving, storing, and displaying artifacts, historical data,  
3-54 items of historical significance, and other items;

3-55 (5) creating interpretive and educational programs;

3-56 (6) acquiring additional artifacts, historical and  
3-57 marketing data, real estate, and items of historical significance  
3-58 relevant to state history, settlement, and culture and historic  
3-59 sites; and

3-60 (7) supporting programming or providing financial  
3-61 support for projects of the commission or a historic site.

3-62 (b) Each agreement entered into under this section must be  
3-63 approved by the commission.

3-64 Sec. 442.045. COLLECTION AND USE OF CERTAIN FEE AND REVENUE  
3-65 RECEIPTS. (a) An agreement described by Section 442.044 may  
3-66 authorize an organization to:

3-67 (1) charge and collect fees in connection with the  
3-68 organization's activities, including fees for viewing special  
3-69 exhibits or films, attending programs or events, and using

4-1 commission facilities or other facilities; and  
4-2 (2) collect revenue from gift shop and concession  
4-3 sales.

4-4 (b) An organization shall hold, invest, manage, use, and  
4-5 apply money received from the fees and sales described by  
4-6 Subsection (a) only for the benefit of the commission and may  
4-7 exercise discretion, subject to the terms of an agreement described  
4-8 by Section 442.044, regarding business operations, exhibits,  
4-9 programming, management, preservation, restoration, and site  
4-10 development.

4-11 Sec. 442.046. OWNERSHIP AND ACQUISITION OF PROPERTY. An  
4-12 organization:

4-13 (1) retains ownership of property purchased using the  
4-14 organization's money and held in the organization's name; and

4-15 (2) may acquire items by gift, grant, or purchase  
4-16 using the organization's money.

4-17 Sec. 442.047. DISPOSITION OF ORGANIZATION ASSETS ON  
4-18 DISSOLUTION. (a) In the event of an organization's dissolution,  
4-19 the commission is the sole beneficiary of all items held in the  
4-20 organization's name that relate to the commission, except as  
4-21 otherwise provided by the organization's articles of incorporation  
4-22 or the terms of the gift or other transfer of the items to the  
4-23 organization.

4-24 (b) An item for which the commission is not the sole  
4-25 beneficiary must be clearly identified and described on an agreed  
4-26 list prepared jointly by the commission and the organization.

4-27 Sec. 442.048. CONFIDENTIALITY OF CERTAIN INFORMATION. The  
4-28 name, address, and other identifying information of a person who  
4-29 makes a donation, including a gift, grant, or other financial  
4-30 contribution, to an organization is confidential and excepted from  
4-31 disclosure under Chapter 552.

4-32 Sec. 442.049. ACCOUNTABILITY; INVESTMENT RESTRICTIONS;  
4-33 AUDIT. (a) Chapter 2256 applies to an organization that is a party  
4-34 to an agreement under this subchapter to the extent that the  
4-35 agreement authorizes the organization to exercise control over  
4-36 state money.

4-37 (b) An organization that is a party to an agreement under  
4-38 this subchapter shall have an annual audit prepared by an  
4-39 independent auditor. The organization shall file the audit report  
4-40 with the commission.

4-41 (c) All financial transactions involving, and financial  
4-42 records relating to, state money held by an organization that is a  
4-43 party to an agreement under this subchapter are subject to audit by  
4-44 the state auditor as provided by Section 321.013.

4-45 Sec. 442.050. EXPENDITURES; LIMITS. (a) The commission  
4-46 shall direct, by the terms of an agreement entered into under this  
4-47 subchapter, an organization's spending of state money.

4-48 (b) A state employee may not directly spend or obligate an  
4-49 organization's money.

4-50 (c) An organization may not spend state money to:

4-51 (1) lobby or otherwise attempt to influence a member  
4-52 of the legislature; or

4-53 (2) directly or indirectly attempt to influence  
4-54 legislation.

4-55 SECTION 6. Section 442.072(a), Government Code, is amended  
4-56 to read as follows:

4-57 (a) The following historic sites in this state are under the  
4-58 commission's jurisdiction:

4-59 (1) Acton State Historic Site;

4-60 (2) Barrington Living History Farm State Historic  
4-61 Site;

4-62 (3) Bush Family Home State Historic Site;

4-63 (4) Caddo ~~Caddoan~~ Mounds State Historic Site;

4-64 (5) ~~(3)~~ Casa Navarro State Historic Site;

4-65 (6) ~~(4)~~ Confederate Reunion Grounds State Historic  
4-66 Site;

4-67 (7) ~~(5)~~ Eisenhower Birthplace State Historic Site;

4-68 (8) ~~(6)~~ Fannin Battleground State Historic Site;

4-69 (9) ~~(7)~~ Fanthorp Inn State Historic Site;

- 5-1                    (10) [~~(8)~~] Fort Griffin State Historic Site;
- 5-2                    (11) [~~(9)~~] Fort Lancaster State Historic Site;
- 5-3                    (12) Fort Martin Scott State Historic Site;
- 5-4                    (13) [~~(10)~~] Fort McKavett State Historic Site;
- 5-5                    (14) French Legation State Historic Site;
- 5-6                    (15) [~~(11)~~] Fulton Mansion State Historic Site;
- 5-7                    (16) Goodnight Ranch State Historic Site;
- 5-8                    (17) Harvey House State Historic Site;
- 5-9                    (18) Iwo Jima Monument and Museum State Historic Site;
- 5-10                   (19) Kreishe Brewery State Historic Site;
- 5-11                   (20) [~~(12)~~] Landmark Inn State Historic Site;
- 5-12                   (21) [~~(13)~~] Levi Jordan State Historic Site;
- 5-13                   (22) [~~(14)~~] Lipantitlan State Historic Site;
- 5-14                   (23) [~~(15)~~] Magoffin Home State Historic Site;
- 5-15                   (24) [~~(16)~~] Mission Dolores State Historic Site;
- 5-16                   (25) [~~(17)~~] Monument Hill [~~and Kreishe Brewery]~~  
 5-17 State Historic Site [~~Sites~~];
- 5-18                   (26) [~~(18)~~] National Museum of the Pacific War;
- 5-19                   (27) Old Socorro Mission State Historic Site;
- 5-20                   (28) Palmito Ranch Battlefield State Historic Site;
- 5-21                   (29) Port Isabel Lighthouse State Historic Site;
- 5-22                   (30) Presidio La Bahia State Historic Site;
- 5-23                   (31) [~~(19)~~] Sabine Pass Battleground State Historic  
 5-24 Site;
- 5-25                   (32) [~~(20)~~] Sam Bell Maxey House State Historic Site;
- 5-26                   (33) [~~(21)~~] Sam Rayburn House State Historic Site;
- 5-27                   (34) [~~(22)~~] San Felipe de Austin State Historic Site;
- 5-28                   (35) San Jacinto Battleground State Historic Site;
- 5-29                   (36) Star of the Republic Museum State Historic Site;
- 5-30                   (37) [~~(23)~~] Starr Family Home State Historic Site;
- 5-31                   (38) Stephen F. Austin Memorial State Historic Site;
- 5-32                   (39) [~~(24)~~] Varner-Hogg Plantation State Historic  
 5-33 Site; and
- 5-34                   (40) [~~(25)~~] Washington-on-the-Brazos State Historic  
 5-35 Site[~~, and~~
- 5-36                   [~~(26)~~ the property known as the French Legation].

5-37                    SECTION 7. Section 442.101(c), Government Code, is amended  
 5-38 to read as follows:

5-39                    (c) Except as authorized by Section 442.0046, the [The]  
 5-40 commission by rule shall adopt policies and procedures consistent  
 5-41 with Subchapter A, Chapter 2254, and other applicable state  
 5-42 procurement practices for soliciting and awarding contracts under  
 5-43 this section.

5-44                    SECTION 8. Section 442.113, Government Code, is amended by  
 5-45 amending Subsection (a) and adding Subsections (a-1) and (d) to  
 5-46 read as follows:

5-47                    (a) The Texas Historical Commission retail operations fund  
 5-48 is a special fund established outside the state treasury as a fund  
 5-49 to be held and administered by the comptroller as directed by the  
 5-50 commission to provide support for commission retail operations  
 5-51 under Section 442.112. The fund may include [~~consists of~~] revenue  
 5-52 from commission retail operations and earned revenue from operating  
 5-53 receipts but [~~and~~] may not include appropriated money.

5-54                    (a-1) Appropriated money may be used to provide financial  
 5-55 support for and grow retail operations.

5-56                    (d) The commission's retail operations are considered an  
 5-57 auxiliary enterprise for purposes of Section 2155.141.

5-58                    SECTION 9. Subchapter D, Chapter 442, Government Code, is  
 5-59 amended by adding Section 442.114 to read as follows:

5-60                    Sec. 442.114. HISTORIC SITE THEMES AND INTERPRETATION. (a)  
 5-61 The commission shall approve historical themes and interpretive  
 5-62 storylines for each historic site based on a framework that  
 5-63 portrays a cohesive story of Texas as seen through its historic  
 5-64 sites.

5-65                    (b) Staff historians and interpretive planners employed by  
 5-66 the commission shall develop the framework described by Subsection  
 5-67 (a) and submit the framework to the commission for approval.

5-68                    (c) The historical themes and interpretive storylines  
 5-69 approved by the commission for each historic site shall be the basis

6-1 for exhibits and interpretive plans produced for each historic site  
6-2 by commission staff or contractors.

6-3 (d) Staff and volunteer educators, interpreters, guides,  
6-4 and presenters must be trained by commission staff in a manner  
6-5 consistent with the framework described by Subsection (a) and  
6-6 approved by the commission.

6-7 (e) The commission shall ensure that visitors to each  
6-8 historic site are presented with exhibits and programs that are  
6-9 consistent with the framework described by Subsection (a) and  
6-10 approved by the commission.

6-11 SECTION 10. Chapter 442, Government Code, is amended by  
6-12 adding Subchapter D-1 to read as follows:

6-13 SUBCHAPTER D-1. WASHINGTON-ON-THE-BRAZOS HISTORICAL FOUNDATION  
6-14 Sec. 442.151. DEFINITION. In this subchapter, "foundation"  
6-15 means the Washington-on-the-Brazos Historical Foundation.

6-16 Sec. 442.152. PURPOSE OF FOUNDATION. (a) The foundation is  
6-17 a nonprofit historical association established under Section  
6-18 442.005(p) for the purposes of supporting the operations of:

6-19 (1) the Washington-on-the-Brazos State Historic Site;

6-20 (2) the Fanthorp Inn State Historic Site;

6-21 (3) the Barrington Living History Farm State Historic  
6-22 Site; and

6-23 (4) the Star of the Republic Museum State Historic  
6-24 Site.

6-25 (b) The commission shall designate the foundation as the  
6-26 entity responsible for providing operational support for the sites  
6-27 described by Subsection (a) and engaging in related activities for,  
6-28 and providing financial support to, those sites.

6-29 Sec. 442.153. RESPONSIBILITIES OF FOUNDATION AND  
6-30 COMMISSION. The foundation and the commission shall enter into an  
6-31 agreement that establishes the:

6-32 (1) working relationship between the foundation and  
6-33 the commission in connection with the activities conducted at the  
6-34 sites described by Section 442.152(a);

6-35 (2) best practices under which the foundation may  
6-36 engage in business activities described by this subchapter;

6-37 (3) relationship between the commission's employees  
6-38 and the foundation; and

6-39 (4) guidelines for identifying and defining the  
6-40 administrative and financial support the commission may provide in  
6-41 connection with the sites described by Section 442.152(a).

6-42 Sec. 442.154. AGREEMENTS REGARDING CERTAIN HISTORIC SITES.

6-43 (a) Notwithstanding any other law, the foundation and the  
6-44 commission may enter into an agreement under Subchapter A-1 to use  
6-45 state money for the following purposes regarding a site described  
6-46 by Section 442.152(a):

6-47 (1) expanding, renovating, managing, maintaining,  
6-48 operating, or providing financial support for the site;

6-49 (2) maintaining, preserving, restoring, and  
6-50 protecting property located on the site;

6-51 (3) promoting and conducting archeological studies at  
6-52 the site;

6-53 (4) maintaining, repairing, renovating, restoring,  
6-54 improving, expanding, or equipping improvements at the site,  
6-55 including constructing new improvements;

6-56 (5) designing and fabricating exhibits and  
6-57 preserving, storing, and displaying artifacts, historical data,  
6-58 and items of historical significance, including artifacts, data,  
6-59 livestock, and items owned or held by the foundation, at the site;

6-60 (6) creating interpretive and educational programs  
6-61 regarding the site;

6-62 (7) acquiring real property, additional artifacts,  
6-63 historical data, and items of historical significance relevant to  
6-64 the Texas Revolution and the period in which it occurred, and early  
6-65 Texas settlement and culture related to the site; and

6-66 (8) preserving, restoring, storing, and conserving  
6-67 artifacts, historical data, and items of historical significance  
6-68 related to the site.

6-69 (b) Subject to the terms of an agreement under Subchapter

7-1 A-1, the foundation may exercise discretion regarding business  
 7-2 operations, exhibits, programming, collection management,  
 7-3 preservation, restoration, storage, and site development at the  
 7-4 site that is the subject of the agreement.

7-5 Sec. 442.155. COLLECTION AND USE OF CERTAIN FEE AND REVENUE  
 7-6 RECEIPTS. (a) An agreement described by Section 442.154 may  
 7-7 authorize the foundation to, at the site that is the subject of the  
 7-8 agreement:

7-9 (1) charge and collect fees in connection with the  
 7-10 foundation's activities at the site, including fees for viewing  
 7-11 special exhibits or films, attending programs or events, and using  
 7-12 the facilities at the site; and

7-13 (2) collect revenue from gift shop and concession  
 7-14 sales at the site.

7-15 (b) The foundation shall hold, invest, manage, use, and  
 7-16 apply money received from the fees and sales described by  
 7-17 Subsection (a) only for the benefit of the sites described by  
 7-18 Section 442.152(a).

7-19 Sec. 442.156. COMMISSION ADVICE AND OVERSIGHT. (a) The  
 7-20 commission shall advise the foundation on the operation,  
 7-21 interpretation, and presentation of historical events,  
 7-22 preservation, archeology, education, nature, philanthropy, and  
 7-23 business development regarding a site described by Section  
 7-24 442.152(a).

7-25 (b) The commission may appoint two nonvoting members to the  
 7-26 foundation's board.

7-27 Sec. 442.157. FUNDRAISING. (a) The foundation shall set  
 7-28 priorities for fundraising activities at the sites described by  
 7-29 Section 442.152(a).

7-30 (b) Notwithstanding Subsection (a), the commission may  
 7-31 adopt rules to establish naming opportunities as described by  
 7-32 Section 442.032.

7-33 Sec. 442.158. OWNERSHIP AND ACQUISITION OF PROPERTY. The  
 7-34 foundation:

7-35 (1) retains ownership of property purchased using the  
 7-36 foundation's money and held in the foundation's name; and

7-37 (2) may acquire items by gift, grant, or purchase  
 7-38 using the foundation's money.

7-39 Sec. 442.159. DISPOSITION OF FOUNDATION ASSETS ON  
 7-40 DISSOLUTION. (a) In the event of the foundation's dissolution, the  
 7-41 commission is the sole beneficiary of all items held in the  
 7-42 foundation's name that relate to the revolutionary history of a  
 7-43 site described by Section 442.152(a) and to early Texas settlement  
 7-44 and culture, except as otherwise provided by the foundation's  
 7-45 articles of incorporation or the terms of the gift or other transfer  
 7-46 of the items to the foundation.

7-47 (b) An item for which the commission is not the sole  
 7-48 beneficiary must be clearly identified and described on an agreed  
 7-49 list prepared jointly by the commission and the foundation.

7-50 SECTION 11. Subchapter K, Chapter 2166, Government Code, is  
 7-51 amended by adding Section 2166.504 to read as follows:

7-52 Sec. 2166.504. APPLICABILITY OF SUBCHAPTER TO CERTAIN  
 7-53 MARKERS. This subchapter does not apply to a marker over which the  
 7-54 Texas Historical Commission has jurisdiction under Section  
 7-55 442.034.

7-56 SECTION 12. Section 442.0055, Government Code, is repealed.

7-57 SECTION 13. Section 442.0046, Government Code, as added by  
 7-58 this Act, applies only to a contract for which bids are first  
 7-59 solicited on or after the effective date of this Act. A contract  
 7-60 for which bids are first solicited before the effective date of this  
 7-61 Act is governed by the law as it existed immediately before the  
 7-62 effective date of this Act, and that law is continued in effect for  
 7-63 that purpose.

7-64 SECTION 14. Section 442.0151, Government Code, as amended  
 7-65 by this Act, applies only to a distribution from the historic  
 7-66 infrastructure sustainability trust fund requested by the Texas  
 7-67 Historical Commission on or after the effective date of this Act.

7-68 SECTION 15. On the effective date of this Act, the Texas  
 7-69 Historical Commission replaces the Texas Facilities Commission as

8-1 the state agency responsible for the preservation, maintenance, and  
8-2 repair of the markers described by Section 442.034, Government  
8-3 Code, as added by this Act.  
8-4 SECTION 16. This Act takes effect September 1, 2025.

8-5

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