

Amend **CSSB 1841** (senate committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Subchapter C, Chapter 31, Natural Resources Code, is amended by adding Section 31.0515 to read as follows:

Sec. 31.0515. DUTIES RELATED TO THE ALAMO COMPLEX. The land commissioner shall:

(1) employ staff necessary to preserve and maintain the Alamo complex and contract for professional services of qualified consultants; and

(2) prepare an annual budget and work plan, including usual maintenance for the Alamo complex, including buildings on the Alamo property, their contents, and their grounds.

SECTION 2. Chapter 31, Natural Resources Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. THE ALAMO COMPLEX

Sec. 31.451. PRESERVATION AND MAINTENANCE OF ALAMO.

(a) The Alamo complex is under the jurisdiction of the land office. The land office is responsible for the preservation, maintenance, and restoration of the Alamo complex and its contents and the protection of the historical and architectural integrity of the exterior, interior, and grounds of the Alamo complex.

(b) Any power or duty related to the Alamo complex formerly vested in any other state agency or entity is vested solely in the land office.

(c) Notwithstanding any other law, the land office is not required to comply with state purchasing law related to requests for proposals in carrying out its duties under this subchapter.

Sec. 31.452. ASSISTANCE FROM OTHER AGENCIES. The land office may consult with the State Preservation Board in the performance of duties under this subchapter. On request of the land office, the State Preservation Board shall assist the land office with the land office's duties relating to the Alamo complex.

Sec. 31.453. AGREEMENT WITH DAUGHTERS OF THE REPUBLIC OF TEXAS. (a) The land office shall enter into an agreement with the Daughters of the Republic of Texas for the management, operation, and financial support of the Alamo complex.

(b) The agreement at a minimum must:

(1) detail the expectations and goals of the land office and the Daughters of the Republic of Texas;

(2) outline the management and operation of the Alamo complex;

(3) establish management standards;

(4) provide for oversight by the land office;

(5) address funding and payment for costs;

(6) require some Alamo complex employees to be land office employees;

(7) address equipment;

(8) establish insurance requirements;

(9) address compliance with local, state, and federal building and operation laws;

(10) address construction, maintenance, and repair;

(11) establish the term of the agreement, which may not be less than 10 years;

(12) require submission of financial information from the Daughters of the Republic of Texas, excluding chapters of the organization;

(13) address other activities of the Daughters of the Republic of Texas that would, as demonstrated by clear and convincing evidence, materially undermine the financial condition of the Daughters of the Republic of Texas or its duties under the agreement;

(14) address ownership by this state of the Alamo complex and its contents;

(15) include a dispute resolution process;

(16) provide that the laws of this state govern the agreement; and

(17) include notice requirements.

(c) The land office may enter into the agreement required by this section only if the Daughters of the Republic of Texas is a properly formed nonprofit corporation in this state in accordance with Section 2.008, Business Organizations Code, and is exempt from income taxation under Section 501(c)(3), Internal Revenue Code.

(d) All property received by the Daughters of the Republic of Texas in its capacity as custodian or trustee of the Alamo for

the benefit of the Alamo and listed on the organization's balance sheet is subject to the requirements of this chapter and the agreement required by this section.

Sec. 31.454. THE ALAMO COMPLEX ACCOUNT. (a) The Alamo complex account is a separate account in the general revenue fund.

(b) The account consists of:

- (1) transfers made to the account;
- (2) fees and other revenue from operation of the Alamo complex;
- (3) grants and donations from any source designated for the benefit of the Alamo complex; and
- (4) income earned on investments of money in the account.

(c) Appropriations to the land office for the preservation, operation, or maintenance of the Alamo complex shall be deposited to the credit of the account.

(d) The land office may use money in the account only to administer this subchapter, including to support the preservation, repair, renovation, improvement, expansion, equipping, operation, or maintenance of the Alamo complex or to acquire a historical item appropriate to the Alamo complex.

(e) Any money in the account not used in a fiscal year remains in the account. The account is exempt from the application of Section 403.095, Government Code.

Sec. 31.455. GRANTS; DONATIONS. The land office may accept a grant or donation for any program or purpose of the Alamo complex and use the funds in accordance with Section 31.454.

Sec. 31.456. ALAMO PRESERVATION ADVISORY BOARD. (a) The land office shall create an Alamo Preservation Advisory Board to:

- (1) promote and support the Alamo complex;
- (2) provide the resources and support necessary to advance the understanding and education of current and future generations on the historical significance and factual record of the Alamo complex;
- (3) inspire virtues of honor and Texas pride;
- (4) preserve the memory and achievement of individuals who served at the Alamo and provide a fitting tribute to the heroism

of the people who paid the ultimate sacrifice for freedom and of the noble men and women of this state who have served in the armed forces or died while serving in the armed forces so that Texas may be free;

(5) promote and provide for the preservation, perpetuation, appropriate publication, and display of manuscripts, books, relics, pictures, oral histories, and all other items and information related to the history of the Alamo complex and of this state that preserve the historical character of the Alamo shrine; and

(6) promote, counsel, and provide support to governmental and private organizations that are committed to objectives similar to the objectives described in this subsection.

(b) The advisory board is composed of:

(1) the president of the Daughters of the Republic of Texas;

(2) the current Alamo chairman of the Daughters of the Republic of Texas;

(3) the immediate past Alamo Chairman of the Daughters of the Republic of Texas;

(4) the Alamo curator;

(5) one representative of the Texas Historical Commission;

(6) one representative of the land office;

(7) the President of the Bexar County Historical Commission; and

(8) one representative who serves as a member of the City of San Antonio Office of Historic Preservation.

(c) The president of the Daughters of the Republic of Texas serves as presiding officer of the advisory board.

(d) The representative of the land office serves as a nonvoting ex-officio member.

(e) Subject to approval by the advisory board, membership may be open to individuals and institutions interested in the purposes for which the advisory board was formed.

SECTION 3. Section 2203.003(a), Government Code, is amended to read as follows:

(a) The Daughters of the Confederacy, Texas Division, and the Daughters of the Republic of Texas each may charge admission to state property over which each organization has custody or control[. ~~This subsection does not apply to the Alamo.~~].

SECTION 4. The following are repealed:

- (1) Article 6394, Revised Civil Statutes of 1911; and
- (2) Chapter 7, Acts of the 29th Legislature, Regular Session, 1905.

SECTION 5. (a) If the General Land Office and the Daughters of the Republic of Texas have not entered into the agreement required by Section 31.453, Natural Resources Code, as added by this Act, before January 1, 2012, on that date the following are transferred to the land office:

- (1) all powers and duties of the Daughters of the Republic of Texas relating to the Alamo complex;
- (2) all unobligated and unexpended funds granted to the Daughters of the Republic of Texas and designated for the administration of the Alamo complex;
- (3) all equipment and property acquired with state money by the Daughters of the Republic of Texas and used for the administration of or related to the Alamo complex; and
- (4) all files and other records of the Daughters of the Republic of Texas kept by the organization regarding the Alamo complex.

(b) The Daughters of the Republic of Texas may agree with the General Land Office to transfer any property of the Daughters of the Republic of Texas to the General Land Office before January 1, 2012, to implement the transfer required by this Act.

(c) Notwithstanding any other law, the Daughters of the Republic of Texas shall continue to perform functions and activities related to the Alamo and granted by Chapter 7, Acts of the 29th Legislature, Regular Session, 1905, until January 1, 2012, and the former law is continued in effect for that purpose.

SECTION 6. This Act takes effect September 1, 2011.