

**CHAPTER 701**

**H.B. No. 2524**

**AN ACT**

relating to the creation and operation of a commission to coordinate the celebration of the bicentennial of the birth of Stephen F. Austin.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1. COMMISSION.** (a) The Stephen F. Austin Bicentennial Celebration Commission is created and is composed of:

- (1) seven public members appointed by the governor:
  - (A) one member from Stephen F. Austin State University;
  - (B) one member from among the residents of the city of Austin;

(C) one member from among the residents of Austin County;

(D) one member from Austin College in Sherman;

(E) two members from the state at large; and

(F) one member from among the residents of the Old Austin Colony, which includes Brazoria, Colorado, Fort Bend, Galveston, Harris, Matagorda, Waller, Washington, and Wharton counties;

(2) two members of the senate appointed by the lieutenant governor to serve as ex officio members;

(3) two members of the house of representatives appointed by the speaker of the house of representatives to serve as ex officio members;

(4) the executive director of the Texas Historical Commission serving as an ex officio member; and

(5) the director and librarian of the Texas State Library and Archives Commission serving as an ex officio member.

(b) A member of the legislature vacates the person's position on the commission if the person ceases to be a member of the legislature. A vacancy is filled by the appointing officer in the same manner as the original appointment.

(c) An ex officio member may designate a representative to serve in the member's absence. A representative designated under this subsection must be an officer or employee of the member's state agency or house of the legislature.

(d) Each member is a voting member. The duties performed by a state officer or employee as a member of the commission constitute additional duties of the office or employment.

(e) Appointments of the public members to the commission shall be made without regard to the race, color, handicap, sex, religion, age, or national origin of the appointee.

(f) A member of the commission is not liable to civil action for any act performed in good faith in the execution of duties as a commission member.

(g) The commission is subject to the open meetings law, Chapter 271, Acts of the 60th Legislature, Regular Session, 1967 (Article 6252-17, Vernon's Texas Civil Statutes), and its subsequent amendments and the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes) and its subsequent amendments.

**SECTION 2. TERMS.** Public members of the commission hold office until December 31, 1993.

**SECTION 3. OFFICERS.** At its first meeting, the commission shall elect one of its members to serve as presiding officer. The presiding officer is entitled to vote on all matters before the commission.

**SECTION 4. COMPENSATION.** A public member of the commission may not receive compensation for serving on the commission. A public member is entitled to reimbursement for actual and necessary expenses incurred in performing functions as a member of the commission, subject to any applicable limitation on reimbursement provided by the General Appropriations Act.

**SECTION 5. MEETINGS.** The commission shall meet monthly at the call of the presiding officer and as provided by commission rule. Regularly scheduled meetings shall be held at Stephen F. Austin State University in Nacogdoches. Special meetings may be held at other locations in the state.

**SECTION 6. GENERAL POWERS AND DUTIES OF COMMISSION.** (a) The commission may adopt rules as necessary for its own procedures.

(b) The commission shall coordinate state and local activities relating to the celebration of the bicentennial of the birth of Stephen F. Austin.

(c) The commission may encourage individuals, private organizations, and local governmental bodies to organize appropriate activities and may gather and disseminate information to the public relating to those activities.

(d) The commission may accept gifts and grants from any source to be used by the commission in performing its functions under this Act.

**SECTION 7. FINAL REPORT.** (a) As soon after November 3, 1993, as the commission determines that it has completed its work and has satisfied its financial obligations, but not later than December 31, 1993, the commission shall file with the secretary of state a final report verified by a certified public accountant that shows:

- (1) the total amount of contributions received by the commission during the commission's existence;
- (2) the total amount of expenditures made by the commission from nonappropriated funds; and
- (3) the total amount of nonappropriated funds remaining in the commission's possession.

(b) On the date on which the commission files its final report with the secretary of state, the commission shall deliver to the state treasurer all unexpended nonappropriated funds it possesses. The treasurer shall deposit the funds in the state treasury to the credit of the general revenue fund.

**SECTION 8.** As soon as possible after the effective date of this Act, the governor, lieutenant governor, and speaker of the house of representatives shall appoint to the Stephen F. Austin Bicentennial Celebration Commission the members as required by Section 1 of this Act.

**SECTION 9. EXPIRATION.** This Act expires and the commission is abolished effective December 31, 1993.

**SECTION 10. EMERGENCY.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 15, 1993, by a non-record vote; passed by the Senate on May 29, 1993: Yeas 31, Nays 0.

Approved June 16, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.