

CHAPTER 612

S.B. No. 706

AN ACT

relating to the powers and duties of the State Preservation Board.

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

SECTION 1. Section 443.007, Government Code, is amended by adding Subsection (d) to read as follows:

*(d) The board may purchase insurance policies to insure the buildings and the contents of the buildings against any insurable risk that arises out of a construction or preservation project.*

SECTION 2. Section 443.013, Government Code, is amended by amending Subsections (b) and (c) and adding Subsections (d) and (e) to read as follows:

*(b) The board may charge a vendor a reasonable fee or a percentage of gross or net sales for the right to operate in the Capitol and may charge a royalty on items sold. Revenue received under this section [from fees and royalties] shall be deposited in the Capitol fund. Revenue received from a food service vendor under this section shall be deposited to the credit of a separate account in the fund, and money in the account may be used only for the purchase and maintenance of equipment, furnishings, and space related to food service in the Capitol.*

*(c) Chapter 94, Human Resources Code, does not apply to a vending facility approved or operated by the board under this section.*

*(d) The board may establish, manage, and operate gift and souvenir shops in the Capitol and in the General Land Office Building. The board may deposit money it receives under this subsection to the credit of a separate account in the Capitol fund and may spend money in the account only for:*

- (1) the benefit of the buildings;*
- (2) educational programs related to the General Land Office Building and the historical portion of the Capitol; and*

(3) operation of the gift and souvenir shops and a Capitol Complex visitors center in the General Land Office Building.

(e) The sale of alcoholic beverages in the Capitol and the General Land Office Building and on their grounds is prohibited.

SECTION 3. Chapter 443, Government Code, is amended by adding Sections 443.0131 and 443.0132 to read as follows:

*Sec. 443.0131. RENTAL OF SPACE TO NEWS MEDIA. The board may set and collect a fee from news media representatives for the rental of space in the Capitol. The fee shall be set in an amount designed to recover the board's costs in furnishing and maintaining the space. The board shall deposit money received under this section to the credit of a separate account in the Capitol fund. Money in the account may be used only to maintain and furnish the space rented to news media representatives.*

*Sec. 443.0132. FEE FOR USE OF GENERAL LAND OFFICE BUILDING. The board may set and collect a fee for public use of the building for special activities. The fee shall be set in an amount designed to pay for the maintenance and operation of a Capitol Complex visitors center in the building. The board shall deposit money received under this section to the credit of a separate account in the Capitol fund. Money in the account may be used only for the maintenance and operation of a Capitol Complex visitors center in the building.*

SECTION 4. Chapter 443, Government Code, is amended by adding Section 443.0135 to read as follows:

*Sec. 443.0135. ALCOHOLIC BEVERAGES. (a) The following activities are prohibited in the Capitol, including the Capitol extension and on its grounds:*

- (1) the sale of alcoholic beverages;*
- (2) the gift of alcoholic beverages in open containers or for on-premises consumption;*
- (3) the consumption of alcoholic beverages; and*
- (4) the possession of an open container of an alcoholic beverage.*

*(b) Subsections (a)(2), (3), and (4) are not applicable in the offices, reception areas, and other similar areas under the control of the legislature, a legislative agency, the governor, or another officer of the state.*

*(c) Subsections (a)(2), (3), and (4) are not applicable to celebrations of events of significant importance to the history of the Capitol if consumption of alcoholic beverages at the event is approved by the board.*

*(d) The board may adopt rules that permit the sale, gift, consumption, and possession of an open container of alcoholic beverages at celebrations of events of significant importance to the history of the Capitol and may determine the historical events that qualify as events of significant importance to the history of the Capitol.*

*(e) The board shall submit a written report to the regular session of the legislature convening in the third year following the year in which the federal decennial census is taken regarding the relationship of the prohibitions established by this section and the preservation of buildings and other property on the Capitol grounds.*

SECTION 5. 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 the Senate on April 30, 1993: Yeas 28, Nays 0; the Senate concurred in House amendments on May 20, 1993: Yeas 31, Nays 0; passed the House, with amendments, on May 14, 1993: Yeas 106, Nays 0, one present not voting.

Approved June 13, 1993.

Effective June 13, 1993.