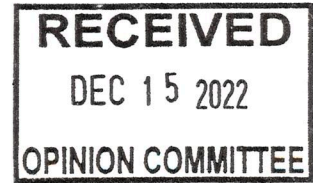




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RQ-0491-KP

FILE# ML-49221-22

I.D.# 49221

December 15, 2022

The Honorable Ken Paxton
Attorney General of Texas
Attention: Opinions Committee
P.O. Box 12548
Austin, TX 78711

Dear General Paxton:

On behalf of the Texas Historical Commission, I ask for your official opinion concerning the following matter.

There are historical markers and monuments scattered across the state of Texas. Many were installed by the State itself, both on private and public property. This agency is frequently called upon to take some form of action with respect to these markers/monuments. But our authority or responsibility for these items has always been in question. This request seeks your official opinion on two issues: the ownership of two particular sets of markers, and whether this, or some other state agency, is responsible for their preservation and maintenance.

This request applies to two types of markers: First, those that were installed as part of the celebration of the centennial of the Republic of Texas (primarily in 1936 but also in 1957-63); and those that were installed as part of the commemoration of the centennial of the Civil War (1961-65). Many of the markers in both categories can be large in size and might be considered “monuments” rather than “markers”. But in an effort to distinguish them from other, much larger centennial monuments such as the Alamo Cenotaph or the Fannin Monument at Goliad, for purposes of this request they will be referred to as “markers”.

A detailed chronology is attached. This letter will provide an overview of that chronology.

Republic of Texas Centennial Markers

These markers were part of a larger program to celebrate the centennial of the Republic of Texas. Most are made of gray granite and stand approximately 5 feet tall, with text carved into the front panel and bronze details. Others (typically in more urban areas) are smaller pink granite blocks with limited text and bronze details. There are approximately 1,100 of these markers. Although most were installed during the centennial celebration in the 1930s, an effort was made in the 1960s to identify and mark the graves of Texans who played a role in the revolution but who had not received a marker in the 1930s. Those pink granite markers are similar in size and design to the 1936 markers.

The best summary of the government structure that was in place at the time the 1930s markers were installed can be found in the first few pages of the book at this link:

<https://babel.hathitrust.org/cgi/pt?id=mdp.39015027787319&view=1up&seq=11>

This book was published as “The Report of the Commission of Control for Texas Centennial Celebrations.” As is indicated in the attached chronology, that Commission was established in 1935 with the adoption of HB 11. That bill also created the “Advisory Board of Texas Historians.” According to the Commission’s report at the link above, the board of historians consisted of three experts in Texas history, responsible for ensuring that any text on a state-funded marker was as accurate as possible. The Commission of Control was then responsible for creating and installing the markers at locations approved by the historians.

The state appropriated \$3 million to the Commission of Control for the centennial celebrations, which included funding for markers. As explained in the book at the link above, all contracts and expenditures authorized by the Commission of Control were let, supervised, and expended by the State Board of Control (SBOC). They created a Centennial Division to manage the program. SBOC selected the architects, sculptors and artists for every project and carried each project through to final inspection. Markers were placed throughout the state, primarily identifying people, places and events associated with the Texas Revolution, but recognizing other people and events from more recent (at that time) history including some placed at locations associated with the Civil War. Markers were placed on state property, but also on municipal and county land, and some can be found on privately-owned property. We are not aware if there were agreements with property owners at the time these markers were placed.

In 1949, as indicated in the attached chronology, a House Concurrent Resolution was introduced in an effort to clarify which entities had responsibility for the various centennial markers and monuments. That proposed resolution expressed concern for the Commission of Control’s/SBOC’s ongoing responsibility for the 1936 markers, and attempted to transfer them to other state agencies, with markers in highway right of way going to the State Highway Department. Other markers not on state land would go either to the local municipality or county, with an ongoing duty to maintain. The resolution passed only in the House and so did not take effect.

Similar markers, installed in the 1950s-60s, were installed under the same process as the Civil War centennial markers, and that process is described below.

The State Building Commission (SBC) was authorized in 1953 and was split off from SBOC in 1954. The new entity’s enabling law was amended by SB 239 in 1963, stating that “The Commission [referring to SBC] is further authorized to maintain and shall be responsible for the continuing maintenance of the monuments and memorials erected by the State of Texas to commemorate the Centenary of Texas Independence.” SBC was then abolished in 1977, and all powers and duties of SBC returned to the SBOC.

The SBOC became the State Purchasing and General Services Commission in 1979. In 1991 it became the General Services Commission, then (in 2001) the Texas Building and Procurement Commission. In 2007 it became the Texas Facilities Commission.

Current Government Code Section 2166.501 Monuments and Memorials (part of the state Facilities Commission’s code), clearly has its origin in SB 239 above:

Sec. 2166.501. MONUMENTS AND MEMORIALS. (a) A monument or memorial for Texas heroes of the Confederate States of America or the Texas War for Independence or to commemorate another event or person of historical significance to Texans and this state may be

erected on land owned or acquired by the state or, if a suitable contract can be made for permanent preservation of the monument or memorial, on private property or land owned by the federal government or other states.

- (b) The graves of Texans described by Subsection (a) may be located and marked.
- (c) The commission shall maintain a monument or memorial erected by this state to commemorate the centenary of Texas' independence.
- (d) Before the erection of a new monument or memorial, the commission must obtain the approval of the Texas Historical Commission regarding the form, dimensions, and substance of, and inscriptions or illustrations on, the monument or memorial.

Added by Acts 1995, 74th Leg., Ch. 41, Sec. 1, eff. Sept. 1, 1995.

It is the position of the Texas Historical Commission that regardless of the location of these markers, they continue to be state-owned resources. It is also the THC's position that TFC continues to have responsibility for the maintenance of these important historic resources.

Civil War Centennial Markers

These markers are very similar in size, shape and materials to the Texas Revolution markers, but are pink in color rather than gray. There are believed to be about 190 such markers statewide.

When the (SBC) was split off from the SBOC by constitutional amendment in 1954, that amendment included funding and spending authority for the SBC to install Civil War monuments and "memorials to the Texans who served in the Armed Forces of the Republic in the Texas War for Independence." That same authority was stated in the bill establishing the SBC as a state agency in 1955.

The Texas State Historical Survey Committee (TSHSC) was established by SCR 44 in 1953 and became a state agency in 1957. TSHSC was tasked with giving "direction and coordination to the state historical marker program" and to "continue to assist and advise the State Building Commission with regard to proper memorials and monuments . . ." TSHSC is the predecessor to the Texas Historical Commission.

SBC then entered into a series of interagency contracts with the TSHSC wherein TSHSC agreed to provide advice and guidance to SBC on history-related projects. For example, TSHSC agreed to help identify and mark the graves of men who fought in the Texas Revolution. SBC agreed to pay the TSHSC for its costs in providing such advice, but SBC handled the manufacture and installation of the markers.

In 1959 Governor Price Daniel created the Texas Civil War Centennial Commission, noting that their duties would include identifying and marking places of historical importance related to that war. The new commission had no staff, and so depended on the staff of the TSHSC to carry out its mission. The Civil War Commission would initiate the placement of markers. SBC would then pay TSHSC for confirming the selected locations and the language to be carved or cast into each one. SBC would produce and install the markers. When markers were placed on private property, it appears that an agreement for the placement was obtained from the property owner. But those agreements were not recorded, and location information was quite vague.

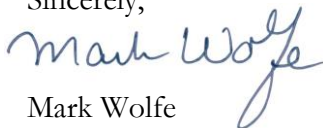
It is the position of the Texas Historical Commission that these markers also continue to be the property of the State of Texas, and that they are the responsibility of TFC, successor to the agency that created and installed them.

Conclusion

At this time, no state agency is properly maintaining the Texas Revolution or Texas Civil War centennial markers, and the bicentennial of the Revolution is fast approaching. We have discussed the issue with TFC. They point to the fact that THC has adopted administrative rules stating that we are responsible. THC has, in fact, tried to take on some responsibility through the rule-making process. But administrative rules that are contrary to state statute (such as the clear assignment of responsibility in Government Code Section 2166.501) are of little use. We simply felt that someone needed to do something and no other state agency appeared willing to accept responsibility for these markers. When resources are available, we have repaired markers damaged by vandals or damaged in vehicular accidents. THC's website states that we coordinate the repair or relocation of these markers when necessary. But the cost of such repairs exceeds our capacity to assist. Many Texans have expressed outrage over the condition of a number of the markers, particularly where bronze decorations have been torn off or the markers have been used for target practice. Most recently, an owner whose private property includes one of the Civil War Centennial markers chose to destroy that marker. Local elected officials and other residents continue to call THC demanding that we take action against the property owner for this destruction of state property. Attorneys at the Office of the Attorney General, recognizing the lack of clear authority, recommended that we pursue this avenue, requesting an official opinion as to the ownership of these markers and which state agency, if any, has responsibility for their maintenance and a concurrent ability to bring appropriate charges against someone who intentionally damages or destroys them.

The chronological summary mentioned above is attached. Please don't hesitate to contact me if you have any questions.

Sincerely,



Mark Wolfe
Executive Director
Texas Historical Commission

CHRONOLOGY OF LEGISLATION AND RELATED ACTIONS ASSOCIATED WITH THE REPUBLIC OF TEXAS CENTENNIAL MONUMENTS AND TEXAS CIVIL WAR CENTENNIAL MONUMENTS

1931 - SB 106 – Introduced by Senator Mary Elizabeth “Margie” Neal (the first woman to serve in the Texas Senate) proposed the creation of “The Texas Centennial Committee” consisting of nine members with three members being appointed each by the governor, lieutenant governor and speaker. Their assignment was to study centennial and other celebrations around the world to determine if such a celebration should be held in 1936 marking the centennial of the Republic of Texas. The committee’s report would be due in January, 1933. The bill passed, and the new law was quickly amended by S.B. 53 to increase the number of committee members to twenty-one.

1931 - SJR 28 – Neal also proposed an amendment to the state Constitution authorizing a celebration of the centennial of the founding of the Republic of Texas and appropriations in support of such a celebration. The resolution passed, and the election was held on November 8, 1932. The proposed constitutional amendment passed by a vote of 277,417 to 218,174.

1934 – SB 22 – Senator Neal next proposed the establishment of a nonprofit public corporation called “The Texas Centennial Commission” to do “any and all things necessary in its judgment” to support a centennial celebration. As before, the Commission would have twenty-one members. It would be supported by the creation of an advisory board of not fewer than one hundred members. Section 14 of the bill provided that:

All land and buildings purchased by legislative appropriations and all net profits that may be acquired by said Commission shall be turned over to the State of Texas within two years from the close of the Texas Centennial celebration for such disposition as the Legislature may then determine after a final report to the Legislature by the Commission shall have been filed with the Secretary of State; and the Commission shall then be discharged by legislative action, and the corporation dissolved.

The bill passed, including an initial appropriation of \$100,000 to support the new commission’s efforts.

1935 - Letter from Governor Allred to the members of the House – “I trust this Legislature will make adequate provision, including a reasonable appropriation, for a real Centennial celebration.”

1935 - HB 11 – Created a nine-member Commission of Control of Texas Centennial Celebrations which included the governor, lieutenant governor and speaker, giving them supervisory authority over any centennial celebrations. The bill also created an Advisory Board of Texas Historians and an Advisory Board for Advertising. It provided that “all expenditures of funds shall be under the control and supervision of the Board of Control of the State of Texas” and gave that board the ability to use appropriated funds to pay any related administrative expenses. H.B. 11 then called for the appropriation of \$3 million “to be expended for the purpose of creating and conducting celebrations commemorating the heroic period of early Texas history, and celebrating a century of the independence and progress of Texas as a Republic and State, and for the other purposes incident thereto as herein provided.” One million dollars was allocated to the construction of the exposition buildings in Dallas now known as Fair

Park. Other allocations were specified for furnishing those buildings, for developing exhibits in the soon-to-be-constructed Texas Memorial Museum in Austin and to conduct an advertising campaign. The remaining funds were to be used to defray expenses incurred by communities outside of Dallas carrying on their own centennial celebrations, including a specific allocation “for improving the Alamo and a celebration” and “for the erection and equipping of a permanent memorial at the San Jacinto Battlefield.” The term “celebration” was defined to include “the placing of suitable markers, memorials or buildings at places where historic events occurred; . . . the placing of monuments to early patriots of Texas; . . .”

The Commission of Control of Texas Centennial Celebrations was further authorized to accept contributions from local communities to help pay for the cost of such “celebrations.” The Advisory Board of Texas Historians was tasked with investigating and reporting to the Commission of Control “as to the authenticity of the claims for Centennial celebrations and expositions as that term is hereinbefore defined, of the various places which should apply to said Commission therefor, and as to the relative merits of such claims, and as to the kind and character of celebrations or exposition, as that term is hereinbefore defined . . .” All applications for funding for “celebrations” were to be referred to the Advisory Board for review, but final decisions were reserved by the Commission of Control.

1935 - H.B. 11 passed both houses, and was signed by Governor Allred on May 7, 1935. Although he signed the bill, Governor Allred again sent a message to the House, this time saying that he signed it only because of the previous constitutional amendment and, he said, because “it would be breaking faith for me to disapprove it.” But he expressed great concern about how the appropriation might be repaid, as the bill required.

1937 - S.B. 476 – Continued the responsibilities of the Commission of Control and allowed for the expenditure of any funds remaining from the \$3 million appropriation.

1949 - HCR 43 – Noted that “suitable markers, memorials, and buildings were placed at sites where historical events occurred; . . . that monuments were placed to the memory of the early patriots of Texas; . . . and that brilliant pageants, expositions and celebrations were staged at appropriate places”, but that “such property so acquired has never been disposed of.”

The resolution went on to say that:

[T]he museums, markers, monuments and memorials are widely scattered throughout the State of Texas and the cost incident to the proper maintenance of same by one state agency would be quite large; and . . . grave public concern is felt for the preservation of the property so acquired by the said Commission of Control because at present the custody and control of such property is not definitely known, thereby causing such property to deteriorate and depreciate in public historical value and significance and in actual value; and . . . certain agencies of the state government and other organizations have manifested a real interest in the preservation of such properties.

The resolution proposed that:

[A]ll markers and memorials located on the right-of-ways of any of the state highways are hereby given to the State Highway Department; . . . and that the control and custody of all other museums, memorials, monuments and markers located on state-owned

property be given to the state agency on which same is located; that the control and custody of all museums, memorials, monuments and markers not located on state-owned property, together with all land and buildings, are hereby given to the municipal corporation in which such property is located and, if not located within the limits of a municipal corporation or such municipal corporation fails to assume control and custody of such property, then the control and custody of same shall be given to the county in which such property is located. It shall be the duty of the state agency, municipal corporation or county receiving control and custody pursuant hereto to maintain such property received and to preserve its historical significance.

The resolution was adopted by the House on May 31, 1949. But concurrent resolutions require the approval of both houses and action by the governor, and HCR 43 was never introduced in the Senate.

1953 - SCR 44 – Establishes the Texas State Historical Survey Committee (TSHSC). No specific mention of markers or monuments.

1954 - Constitutional Amendment – Article III Section 51-b (c): Creates the State Building Commission (SBC) and states:

[T]he State Building Commission may expend not exceeding five (5%) percent of the moneys available to it in any one year, for the purpose of erecting memorials to the Texans who served in the Armed Forces of the Confederate States of America. Said memorials may be upon battlefields or other suitable places within or without the boundaries of this State. The authorization for expenditures for memorials herein mentioned shall cease as of December 31, 1965. . . . the State Building Commission may expend not exceeding Thirty Thousand (\$30,000.00) Dollars in the aggregate for the purpose of erecting memorials to the Texans who served in the Armed Forces of the Republic in the Texas War for Independence. Said memorials may be erected upon battlefields, in cemeteries, or other suitable places within or without the boundaries of this State. The authorization for expenditures for memorials herein mentioned shall cease as of December 31, 1965. [Note that these funds were being transferred from the former Confederate Pension Fund after all pensions had been paid out.]

1955 - SCR 28 – Continues the TSHSC for another two years.

1955 - SB 134 – Establishes the SBC as a state agency.

Section 15: “Monuments or memorials for the Texas Heroes of the Confederate States of America and the Texas War for Independence may be erected on land owned or acquired by the State or, if suitable contracts can be made for permanent preservation of such monuments or memorials, on private property or on land owned by the Federal Government or by other States. The locating and marking of graves of such Texans is hereby authorized.”

Section 16: “The Commission is hereby authorized to negotiate and contract with the Texas Historical Survey Committee, created by the 53rd Legislature, for the purpose of assisting and advising the Commission with regard to the proper memorials and monuments to be erected, repaired, and removed to new locations, and selection of sites therefor, and the locating and marking of graves.”

Section 20: "The sum of Thirty Thousand (\$30,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the State Building Fund for use by the Commission for the payment of contracts entered into with the Texas Historical Survey Committee in carrying out the provisions set forth in Section 16 of this Act."

Section 21: "Pursuant to Section 51-b of Article III of the Constitution, there is also appropriated from the State Building Fund the sum of Thirty Thousand (\$30,000.00) Dollars, or so much thereof as may be necessary, for the purpose of erecting suitable memorials to the heroes of the Texas War for Independence on any suitable sites now owned by, or hereafter acquired by, the State, or on sites otherwise authorized in Section 15 hereof." [Note that SBC was also delegated the responsibility to design and construct a Texas monument at the Vicksburg, Mississippi battleground.]

1957 - SB 426 – Establishes the TSHSC as a state agency.

Section 9: "The Committee shall give direction and coordination to the state historical marker program, and shall continue to assist and advise the State Building Commission with regard to proper memorials and monuments to be erected, repaired, and removed to new locations, and selection of sites therefor, and the locating and marking of graves."

June 24, 1958 - Contract between SBC and TSHSC – TSHSC agrees "to perform the following services for the State Building Commission for a period of seven months, beginning July 1, 1958 and ending on January 31, 1959." Services include locating "the graves of the Heroes of the Texas War for Independence", planning for the Vicksburg Monument, properly designating the new Supreme Court Building "as a Confederate memorial", restoring the Old Land Office Building, determining the names of "Texas Heroes of the Confederate States of America and the Texas War for Independence", assisting with plans and location for the new State Archives and Library building, determining "the condition of memorials and monuments erected by the Commission of Control for Texas Centennial Celebrations and make recommendations for their repair and relocation where necessary continuing to encourage local restoration and preservation of these markers and sites", and to perform any other services necessary to carry out the provisions of several bills [included in the list above]. In exchange for these services, "The State Building Commission agrees to reimburse the Texas State Historical Survey Committee for the actual cost, or the nearest estimate of the cost that is practicable, of rendering the above services. The basis for calculating the reimbursable cost shall be the cost of salaries, travel expenses and office expenses of the Texas State Historical Survey Committee. The maximum amount of the cost shall be \$1,175.00 per month or \$8,225.00 for the period of the contract." The agreement further requires TSHSC to submit monthly statements of cost to the SBC for reimbursement. Governor Price Daniel signed the agreement in his capacity as Chairman.

1959 - Appropriations Act – State Buildings Commission, "Out of State Building Fund" Item 12: "For erecting memorials to the Texans who served in the Armed Forces of the Republic in the Texas War for Independence" \$20,989.

December 14, 1959 - Executive Order – Issued by Gov. Price Daniel, creating the Texas Civil War Centennial Commission (TCWCC) "to direct appropriate commemoration of Texas' part in the War Between the States and the valor, sacrifice and courage of those who restored unity and peace to our land." In his order, he identified four goals for the new commission, including the fact that "Sites of the

58 military events which occurred in Texas during the Civil War will be memorialized . . . “ [No copy found, quote is from a newspaper article citing the order].

1961 - SCR 13 – Assigns the TSHSC responsibility for “planning and directing” the commemoration of the 100th anniversary of the Civil War, stating “That the facilities and staff of the Texas State Historical Survey Committee shall be made available for the work of the Texas Civil War Centennial Commission and that all possible aid shall be accorded by the Legislature and by other state agencies . . . That the Committee is requested to give emphasis to the Civil War period in the erection of markers and memorials and in the preservation and restoration of historic houses, sites and landmarks, museums, and archives, papers and documents . . .”

1961 - Appropriations Act – State Buildings Commission, “Out of State Building Fund” item 16: “For erecting memorials upon battlefields or other suitable places to the Texans who served in the Armed Forces of the Confederate States of America, pursuant to Article III, Section 51-b of the State Constitution, and necessary and incidental expenses relating thereto; to be expended through inter-agency agreement with the Texas Historical Survey Committee” \$60,400 in each year of the biennium. Notes following the appropriation amounts include UB for funds appropriated “for the construction of a monument or memorial; for erecting memorials” etc. for like purposes for the biennium beginning September 1, 1961.

September 1, 1961 - Contract between SBC and TSHSC – “Texas State Historical Survey Committee agrees to perform the following services for the State Building Commission for a period of two years, beginning September 1, 1961 and ending August 31, 1963.” List includes:

“1. Complete the statewide survey to determine what memorials to the Texans who served in the Armed Forces of the Confederate States of America are now in existence, including grave markers; determine the adequacy and condition of such memorials, monuments and markers; and furnish research and recommendations to the State Building Commission for new memorials, monuments and grave markers for the Texas heroes of the Confederate States of America. In connection with the above, authenticate by research the inclusion of all names in the category of Texas heroes of the Confederate States of America, all sites and events related thereto, and substantiate all recommendations for memorials, monuments and markers on the basis of such authentication.

2. Make recommendations for proper memorials and their locations; prepare designs and inscriptions; obtain permission from property owners, families and cemetery authorities for placing memorials; and enlist local cooperation in the maintenance of memorial sites.

3. Make recommendations for the repair and relocation where necessary of existing memorials, monuments and markers, continuing to encourage local restoration and preservation of these memorials and sites.

4. In the above marker work, historical building markers and tourist markers to be placed by the State Historical Survey Committee will be taken into consideration and duplication avoided as far as feasible; historical sites overlooked during the Texas Centennial will also be taken into consideration.

5. Perform any other services necessary to carry out the historical provisions and duties imposed by Constitution and Statute upon the State Building Commission with reference to erection of memorials and necessary to carrying out the work authorized in Item 16 of the Building Commission Section of the General Appropriation Bill, Senate Bill 1 of the 57th Legislature, First Called Session, from which all funds under this Contract shall be paid. [Contract provides for payment of \$21,400 per year for each year of the biennium from the State Buildings Commission to the TSHSC. Note the reference to “historical building markers and tourist markers.” This refers to aluminum plaques that were installed by the TSHSC beginning in the early 1960s. Several of those early plaques also identified Civil War sites, in keeping with the instruction in SCR 13 above “That the Committee is requested to give emphasis to the Civil War period in the erection of markers and memorials.”]

1963 - SB 239 – Amending Section 15 of Chapter 514, Acts of the 54th Legislature, 1955 to read “Monuments or memorials for the Texas heroes of the Confederate States of America and the Texas War for Independence, or to commemorate any other event or person of historical significance to Texans and the State of Texas may be erected on land owned or acquired by this state or, if suitable contracts can be made for permanent preservation of such monuments or memorials, on private property or on land owned by the federal government or by other states. The locating and marking of graves of such Texans is hereby authorized. The Commission [referring to the SBC] is further authorized to maintain and shall be responsible for the continuing maintenance of the monuments and memorials erected by the State of Texas to commemorate the Centenary of Texas Independence. Before erection of any new monument or memorial the Commission shall obtain the approval of the Texas State Historical Survey Committee as to the form, dimensions, substance of and inscriptions or illustrations upon such monuments or memorials.”

1963 - Appropriations Act – State Building Commission “Out of State Building Fund” paragraph 11: “For erecting memorials to Texans who served in the Armed Forces of the Republic in the Texas War for Independence” \$1,940 “& UB”.

June 25, 1963 - Contract between SBC and TSHSC: Same as previous agreement with three differences. First, the reference to the appropriations act was updated to Item 11 of Senate Bill 86 of the 58th Legislature; Second, the TSHSC was required to submit a report to the State Building Commission “which will give the exact location of the memorials and markers hereinabove mentioned, and to any that have been erected, maintained or approved by the State. This report may be prepared and printed as a cooperative effort with other State agencies or private non-profit corporations;” Third, the amount of the contract was changed to \$15,408 in the first year and \$16,408 in the second year of the biennium.

1973 – HB 1512 created the Texas Historical Commission. HB 274 changed the name of the Texas Historical Survey Commission to the Texas Historical Commission.

1977 – The State Building Commission was abolished and its powers and duties were transferred to the SBOC.

1979 – SBOC became the State Purchasing and General Services Commission (SPGSC).

1991 – SPGSC became the General Services Commission (GSC).

1995 – Adoption of Government Code Section 2166.501 as part of the GSC’s code, still in effect in 2022:

Sec. 2166.501. MONUMENTS AND MEMORIALS. (a) A monument or memorial for Texas heroes of the Confederate States of America or the Texas War for Independence or to commemorate another event or person of historical significance to Texans and this state may be erected on land owned or acquired by the state or, if a suitable contract can be made for permanent preservation of the monument or memorial, on private property or land owned by the federal government or other states.

(b) The graves of Texans described by Subsection (a) may be located and marked.

(c) The commission shall maintain a monument or memorial erected by this state to commemorate the centenary of Texas' independence.

(d) Before the erection of a new monument or memorial, the commission must obtain the approval of the Texas Historical Commission regarding the form, dimensions, and substance of, and inscriptions or illustrations on, the monument or memorial.

Added by Acts 1995, 74th Leg., ch. 41, Sec. 1, eff. Sept. 1, 1995.

2001 – GSC became the Texas Building and Procurement Commission (TBPC).

2007 – TBPC became the Texas Facilities Commission (TFC).