

AN ACT

1  
2 relating to authorizing the board of regents of the Texas Tech  
3 University System to transfer the San Angelo Museum of Fine Arts to  
4 a nonprofit organization to operate the museum.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Chapter 109A, Education Code, is amended by  
7 adding Section 109A.005 to read as follows:

8 Sec. 109A.005. AUTHORITY TO TRANSFER SAN ANGELO MUSEUM OF  
9 FINE ARTS. (a) In this section, "nonprofit organization" means an  
10 organization exempt from federal income taxation under Section  
11 501(a), Internal Revenue Code of 1986, as an organization described  
12 by Section 501(c)(3) of that code.

13 (b) The board of regents may transfer title to the real  
14 property and improvements of the San Angelo Museum of Fine Arts to a  
15 nonprofit organization if:

16 (1) before transferring title, the board of regents  
17 holds a public meeting at which the transfer is an agenda item and,  
18 in addition to any other notice required, gives notice of the  
19 meeting by publishing the subject matter, location, date, and time  
20 of the meeting in a newspaper having general circulation in the city  
21 of San Angelo;

22 (2) the board of regents determines that:

23 (A) the transfer will serve the interests of the  
24 university and the public; and

1           (B) at the time of the transfer, the university  
2 does not require the entirety of the real property or improvements  
3 for educational purposes; and

4           (3) the nonprofit organization to which the transfer  
5 is proposed to be made has demonstrated, to the satisfaction of the  
6 board of regents, that the organization intends to continue to:

7           (A) use the real property and improvements for  
8 public purposes, including educational purposes; and

9           (B) keep the museum open to the public on a  
10 frequent and regular basis.

11           (c) To make a transfer under this section, the chairman of  
12 the board of regents shall execute a deed transferring title to the  
13 real property and improvements of the San Angelo Museum of Fine Arts  
14 to the nonprofit organization. The deed must:

15           (1) cite the authorization by the board of regents to  
16 make the transfer; and

17           (2) provide that title to the real property and  
18 improvements reverts to the Texas Tech University System if the  
19 nonprofit organization:

20           (A) discontinues using the real property or  
21 improvements for public purposes as required by the deed; or

22           (B) executes a document that purports to convey  
23 title.

24           SECTION 2. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

S.B. No. 811

1 Act takes effect September 1, 2009.

Sandra Newkumst  
President of the Senate

Jon Strom  
Speaker of the House

I hereby certify that S.B. No. 811 passed the Senate on April 2, 2009, by the following vote: Yeas 31, Nays 0.

Patricia Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 811 passed the House on May 5, 2009, by the following vote: Yeas 144, Nays 0, one present not voting.

Robert Harey  
Chief Clerk of the House

Approved:

19 MAY '09  
Date

RICK PERRY  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2 PM O'CLOCK

Debra R. Edwards  
Secretary of State