

**Acknowledgement of Acceptance of Gift from
the Estate of Anita Palmer Hackley**

Background:

Anita Palmer Hackley, a former consumer member of the Texas Board of Vocational Nurse Examiners (1999-2004) and the Board of Nurse Examiners (2004-2007), passed away on January 6, 2017. Ms. Palmer Hackley was a Special Selected Member of Women Artists of the West, the National Association of Oil and Acrylic Painters, and the American Association of Equine Artists. On February 22, 2017, the Board received a painting from the Estate of Anita Palmer Hackley, titled *Rocker M Mourns*, which was painted by Ms. Palmer Hackley in 2004. The purpose of the gift is for the enjoyment of the agency and the citizens of the State of Texas.

Pursuant to Tex. Gov't. Code § 575.003, a state agency that has a governing board may accept a gift only if the agency has the authority to accept the gift and a majority of the Board, in an open meeting, acknowledges the acceptance of the gift not later than the 90th day after the date the gift is accepted. To comply with the law, the Board must now acknowledge the acceptance of the gift in an open meeting. A copy of the relevant statutes are included as Attachment "A."

Board Action: Move to acknowledge the acceptance of a painting from the Estate of Anita Palmer Hackley on February 22, 2017.

Attachment “A”

Tex. Occ. Code § 301.156. Gifts and Grants

The board may receive gifts, grants, or other funds or assets.

Tex. Gov’t. Code § 575.001. Definitions

(1) “Gift” means a donation of money or property.

(2) “State agency” means a board, commission, council, committee, department, office, agency, or other governmental entity in the executive or judicial branch of state government. The term does not include an institution of higher education as defined by Section 61.003, Education Code.

Tex. Gov’t. Code § 575.002. Gifts of \$500 or More

This chapter applies only to a gift that has a value of \$500 or more.

Tex. Gov’t. Code § 575.003. Acceptance of Gift by State Agency Governing Board

A state agency that has a governing board may accept a gift only if the agency has the authority to accept the gift and a majority of the board, in an open meeting, acknowledges the acceptance of the gift not later than the 90th day after the date the gift is accepted.

Tex. Gov’t. Code § 575.004. Record of Gift

A state agency that accepts a gift must record the name of the donor, a description of the gift, and a statement of the purpose of the gift in:

- (1) the minutes of the governing board of the agency; or
- (2) appropriate agency records, if the agency does not have a governing board.