

AN ACT

relating to the sunset review process and certain governmental entities subject to that process.

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

ARTICLE 1. ENTITIES GIVEN 2023 SUNSET DATE

SECTION 1.01. TEXAS ECONOMIC DEVELOPMENT AND TOURISM OFFICE. Section 481.003, Government Code, is amended to read as follows:

Sec. 481.003. SUNSET PROVISION. The Texas Economic Development and Tourism Office is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished and this chapter expires September 1, 2023 [~~2021~~].

SECTION 1.02. OFFICE OF STATE-FEDERAL RELATIONS. Section 751.003, Government Code, is amended to read as follows:

Sec. 751.003. SUNSET PROVISION. The Office of State-Federal Relations is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished and this chapter expires September 1, 2023 [~~2021~~].

SECTION 1.03. ANATOMICAL BOARD OF THE STATE OF TEXAS. Section 691.003, Health and Safety Code, is amended to read as follows:

Sec. 691.003. SUNSET PROVISION. The Anatomical Board of

1 the State of Texas is subject to Chapter 325, Government Code (Texas  
2 Sunset Act). Unless continued in existence as provided by that  
3 chapter, the board is abolished September 1, 2023 [~~2021~~].

4 SECTION 1.04. TEXAS COMMISSION OF LICENSING AND REGULATION;  
5 TEXAS DEPARTMENT OF LICENSING AND REGULATION. Section 51.002(a),  
6 Occupations Code, is amended to read as follows:

7 (a) The Texas Commission of Licensing and Regulation and the  
8 Texas Department of Licensing and Regulation are subject to Chapter  
9 325, Government Code (Texas Sunset Act). Unless continued in  
10 existence as provided by that chapter, the commission and the  
11 department are abolished September 1, 2023 [~~2021~~].

12 SECTION 1.05. TEXAS COMMISSION ON LAW ENFORCEMENT. (a)  
13 Section 1701.002, Occupations Code, is amended to read as follows:

14 Sec. 1701.002. APPLICATION OF SUNSET ACT. The Texas  
15 Commission on Law Enforcement is subject to Chapter 325, Government  
16 Code (Texas Sunset Act). Unless continued in existence as provided  
17 by that chapter, the commission is abolished and this chapter  
18 expires September 1, 2023 [~~2021~~].

19 (b) For purposes of Section 1701.002, Occupations Code, as  
20 amended by this Act, the Sunset Advisory Commission shall conduct a  
21 limited-scope review of the Texas Commission on Law Enforcement for  
22 the 88th Legislature.

23 (c) In conducting the limited-scope review under this  
24 section, the Sunset Advisory Commission staff evaluation and report  
25 must be limited to reviewing the appropriateness of the Sunset  
26 Advisory Commission's recommendations for the Texas Commission on  
27 Law Enforcement made to the 87th Legislature.

1 (d) The Sunset Advisory Commission's recommendations to the  
2 88th Legislature may include any recommendation the commission  
3 considers appropriate based on the limited-scope review conducted  
4 under this section.

5 SECTION 1.06. PUBLIC UTILITY COMMISSION OF TEXAS. Section  
6 12.005, Utilities Code, is amended to read as follows:

7 Sec. 12.005. APPLICATION OF SUNSET ACT. The Public Utility  
8 Commission of Texas is subject to Chapter 325, Government Code  
9 (Texas Sunset Act). Unless continued in existence as provided by  
10 that chapter or by Chapter 39, the commission is abolished and this  
11 title expires September 1, 2023 [~~2025~~].

12 SECTION 1.07. OFFICE OF PUBLIC UTILITY COUNSEL. Section  
13 13.002, Utilities Code, is amended to read as follows:

14 Sec. 13.002. APPLICATION OF SUNSET ACT. The Office of  
15 Public Utility Counsel is subject to Chapter 325, Government Code  
16 (Texas Sunset Act). Unless continued in existence as provided by  
17 that chapter, the office is abolished and this chapter expires  
18 September 1, 2023 [~~2025~~].

19 SECTION 1.08. SAN JACINTO RIVER AUTHORITY. Section 1A(a),  
20 Chapter 426, Acts of the 45th Legislature, Regular Session, 1937,  
21 is amended to read as follows:

22 (a) The District is subject to review under Chapter 325,  
23 Government Code (Texas Sunset Act), but may not be abolished under  
24 that chapter. The review shall be conducted under Section 325.025,  
25 Government Code, as if the District were a state agency scheduled to  
26 be abolished September 1, 2023 [~~2021~~], and every 12th year after  
27 that year.

ARTICLE 2. ENTITIES GIVEN 2025 SUNSET DATE

SECTION 2.01. TEXAS DEPARTMENT OF INSURANCE AND DIVISION OF WORKERS' COMPENSATION, TEXAS DEPARTMENT OF INSURANCE. Section 31.004, Insurance Code, is amended to read as follows:

Sec. 31.004. SUNSET PROVISION. (a) The Texas Department of Insurance is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished September 1, 2025 [~~2023~~].

(b) Unless continued as provided by Chapter 325, Government Code, the duties of the division of workers' compensation of the Texas Department of Insurance under Title 5, Labor Code, expire September 1, 2025 [~~2023~~], or another date designated by the legislature.

SECTION 2.02. OFFICE OF PUBLIC INSURANCE COUNSEL. Section 501.003, Insurance Code, is amended to read as follows:

Sec. 501.003. SUNSET PROVISION. The office is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished September 1, 2025 [~~2023~~].

SECTION 2.03. OFFICE OF INJURED EMPLOYEE COUNSEL. Section 404.003, Labor Code, is amended to read as follows:

Sec. 404.003. SUNSET PROVISION. The office of injured employee counsel is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished and this chapter expires September 1, 2025 [~~2023~~].

ARTICLE 3. ENTITIES GIVEN 2027 SUNSET DATE

SECTION 3.01. TEXAS PUBLIC FINANCE AUTHORITY. Section 1232.072, Government Code, is amended to read as follows:

Sec. 1232.072. SUNSET PROVISION. The Texas Public Finance Authority is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the authority is abolished and this chapter expires September 1, 2027 [~~2023~~].

SECTION 3.02. TEXAS STATE AFFORDABLE HOUSING CORPORATION. Section 2306.5521, Government Code, is amended to read as follows:

Sec. 2306.5521. SUNSET PROVISION. The Texas State Affordable Housing Corporation is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the corporation is abolished and this subchapter expires September 1, 2027 [~~2023~~].

SECTION 3.03. COMMISSION ON STATE EMERGENCY COMMUNICATIONS. Section 771.032, Health and Safety Code, is amended to read as follows:

Sec. 771.032. APPLICATION OF SUNSET ACT. The Commission on State Emergency Communications is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this chapter expires September 1, 2027 [~~2023~~].

SECTION 3.04. TEXAS RACING COMMISSION. (a) Section 2021.008(a), Occupations Code, is amended to read as follows:

(a) The commission is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, and except as provided by Subsections (b) and (c),

1 the commission is abolished and this subtitle expires September 1,  
2 2027 [~~2021~~].

3 (b) Not later than December 1, 2021, the Texas Racing  
4 Commission shall replace all employees who were employed by the  
5 Texas Racing Commission on August 31, 2021, in:

6 (1) an exempt position; or

7 (2) a position at or above salary group B27 in the  
8 Texas Position Classification Plan, 1961.

9 (c) The Texas Racing Commission may not hire or rehire an  
10 individual to fill a position described by Subsection (b) of this  
11 section if the individual was employed by the commission in a  
12 position described by Subsection (b) of this section during the six  
13 months preceding the effective date of this Act.

14 ARTICLE 4. ENTITIES GIVEN 2029 SUNSET DATE

15 SECTION 4.01. CANCER PREVENTION AND RESEARCH INSTITUTE OF  
16 TEXAS. Section [102.003](#), Health and Safety Code, is amended to read  
17 as follows:

18 Sec. 102.003. SUNSET PROVISION. The Cancer Prevention and  
19 Research Institute of Texas is subject to Chapter [325](#), Government  
20 Code (Texas Sunset Act). Unless continued in existence as provided  
21 by that chapter, the institute is abolished and this chapter  
22 expires September 1, 2029 [~~2023~~].

23 SECTION 4.02. STATE BOARD OF VETERINARY MEDICAL EXAMINERS.

24 (a) Section [801.003](#), Occupations Code, is amended to read as  
25 follows:

26 Sec. 801.003. APPLICATION OF SUNSET ACT. The State Board of  
27 Veterinary Medical Examiners is subject to Chapter [325](#), Government

1 Code (Texas Sunset Act). Unless continued in existence as provided  
2 by that chapter, the board is abolished [~~and this chapter expires~~]  
3 September 1, 2029 [~~2021~~].

4 (b) The Sunset Advisory Commission shall conduct a  
5 special-purpose review of the State Board of Veterinary Medical  
6 Examiners for the 88th Legislature. In conducting the  
7 special-purpose review under this subsection:

8 (1) the Sunset Advisory Commission staff evaluation  
9 and report must be limited to reviewing the implementation of the  
10 State Board of Veterinary Medical Examiners' database system and  
11 the board's processes and procedures for collecting and analyzing  
12 data as recommended by the commission to the 87th Legislature; and

13 (2) the commission's recommendations to the 88th  
14 Legislature may include any recommendation the commission  
15 considers appropriate based on the special-purpose review.

16 (c) The state auditor shall conduct an effectiveness audit  
17 of the State Board of Veterinary Medical Examiners to evaluate:

18 (1) the board's implementation of the data-related  
19 recommendations made in the report on the board submitted by the  
20 Sunset Advisory Commission to the 85th Legislature and identified  
21 as not fully implemented in the report on the board submitted by the  
22 commission to the 87th Legislature; and

23 (2) any additional recommendation made in the Sunset  
24 Advisory Commission's report on the special-purpose review under  
25 Subsection (b) of this section.

26 (d) The state auditor may not begin the audit required by  
27 Subsection (c) of this section before December 1, 2023, and shall

1 prepare and submit a report of the findings of the audit to the  
2 chair and executive director of the Sunset Advisory Commission not  
3 later than December 1, 2024.

4 (e) The state auditor shall include the auditor's duties  
5 under this section in each audit plan under Section 321.013,  
6 Government Code, that governs the auditor's duties for the period  
7 specified by Subsection (d) of this section.

8 ARTICLE 5. ENTITIES GIVEN 2031 SUNSET DATE

9 SECTION 5.01. TEXAS REAL ESTATE COMMISSION. Section  
10 1101.006, Occupations Code, is amended to read as follows:

11 Sec. 1101.006. APPLICATION OF SUNSET ACT. The Texas Real  
12 Estate Commission is subject to Chapter 325, Government Code (Texas  
13 Sunset Act). Unless continued in existence as provided by that  
14 chapter, the commission is abolished and this chapter, Chapter  
15 1102, and Chapter 1303 of this code and Chapter 221, Property Code,  
16 expire September 1, 2031 [~~2025~~].

17 SECTION 5.02. TEXAS APPRAISER LICENSING AND CERTIFICATION  
18 BOARD. Section 1103.006, Occupations Code, is amended to read as  
19 follows:

20 Sec. 1103.006. APPLICATION OF SUNSET ACT. The Texas  
21 Appraiser Licensing and Certification Board is subject to Chapter  
22 325, Government Code (Texas Sunset Act). Unless continued in  
23 existence as provided by that chapter, the board is abolished and  
24 this chapter and Chapter 1104 expire September 1, 2031 [~~2025~~].

25 ARTICLE 6. ENTITIES REMOVED FROM SUNSET REVIEW

26 SECTION 6.01. TEXAS A&M FOREST SERVICE. Section 88.1016,  
27 Education Code, is repealed.



ARTICLE 7. LIMITED REVIEWS REMOVED FROM SUNSET REVIEW

SECTION 7.01. HEALTH AND HUMAN SERVICES COMMISSION, DEPARTMENT OF STATE HEALTH SERVICES, AND DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES. Section 531.0206, Government Code, is repealed.

SECTION 7.02. THE HEALTH AND HUMAN SERVICES COMMISSION'S OFFICE OF INSPECTOR GENERAL. Section 531.102(y), Government Code, is repealed.

ARTICLE 8. SUNSET REVIEW PROCESS

SECTION 8.01. PROCEDURES DURING DECLARED DISASTER. Section 325.0125(b), Government Code, is amended to read as follows:

(b) The commission may only exempt agencies that have been inactive for a period of two years preceding the date the agency is scheduled for abolition, ~~or~~ that have been rendered inactive by an action of the legislature, or that the commission determines are unable to participate in the review due to a declared disaster.

SECTION 8.02. PROCEDURES AFTER ABOLISHMENT. Section 325.017, Government Code, is amended by adding Subsections (g) and (h) to read as follows:

(g) Except as provided by Subsections (a), (e), and (f), all legal interests of a state agency abolished in an odd-numbered year are transferred to the comptroller on the date the state agency is terminated under Subsection (a).

(h) On the date a state agency that is abolished in an odd-numbered year is terminated under Subsection (a), the governor may designate another state agency to administer any law previously administered by the abolished state agency that remains in effect

1 and a reference in any law to the abolished state agency means the  
2 designated state agency. The governor is not required to designate  
3 the same state agency under this subsection that is designated  
4 under Subsection (f).

5 ARTICLE 9. TRANSITION

6 SECTION 9.01. CONFLICT WITH OTHER LAWS. If a conflict  
7 exists between this Act and another Act of the 87th Legislature,  
8 Regular Session, 2021, that amends or repeals the sunset date of a  
9 governmental entity, the provisions of the other Act control  
10 without regard to the relative dates of enactment.

11 ARTICLE 10. EFFECTIVE DATE

12 SECTION 10.01. EFFECTIVE DATE. This Act takes effect  
13 immediately if it receives a vote of two-thirds of all the members  
14 elected to each house, as provided by Section 39, Article III, Texas  
15 Constitution. If this Act does not receive the vote necessary for  
16 immediate effect, this Act takes effect September 1, 2021.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 713 passed the Senate on April 19, 2021, by the following vote: Yeas 31, Nays 0; May 25, 2021, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 2021, House granted request of the Senate; May 30, 2021, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 713 passed the House, with amendments, on May 23, 2021, by the following vote: Yeas 140, Nays 3, one present not voting; May 27, 2021, House granted request of the Senate for appointment of Conference Committee; May 30, 2021, House adopted Conference Committee Report by the following vote: Yeas 133, Nays 7, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor