

1-1 By: Buckingham S.B. No. 713  
 1-2 (In the Senate - Filed March 11, 2021; March 18, 2021, read  
 1-3 first time and referred to Committee on Administration;  
 1-4 April 14, 2021, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 6, Nays 0; April 14, 2021,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 713 By: Huffman

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the sunset review process and certain governmental  
 1-20 entities subject to that process.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 ARTICLE 1. ENTITIES GIVEN 2023 SUNSET DATE

1-23 SECTION 1.01. TEXAS ECONOMIC DEVELOPMENT AND TOURISM  
 1-24 OFFICE. Section 481.003, Government Code, is amended to read as  
 1-25 follows:

1-26 Sec. 481.003. SUNSET PROVISION. The Texas Economic  
 1-27 Development and Tourism Office is subject to Chapter 325 (Texas  
 1-28 Sunset Act). Unless continued in existence as provided by that  
 1-29 chapter, the office is abolished and this chapter expires September  
 1-30 1, 2023 [~~2021~~].

1-31 SECTION 1.02. OFFICE OF STATE-FEDERAL RELATIONS. Section  
 1-32 751.003, Government Code, is amended to read as follows:

1-33 Sec. 751.003. SUNSET PROVISION. The Office of  
 1-34 State-Federal Relations is subject to Chapter 325 (Texas Sunset  
 1-35 Act). Unless continued in existence as provided by that chapter,  
 1-36 the office is abolished and this chapter expires September 1, 2023  
 1-37 [~~2021~~].

1-38 SECTION 1.03. PUBLIC UTILITY COMMISSION OF TEXAS. Section  
 1-39 12.005, Utilities Code, is amended to read as follows:

1-40 Sec. 12.005. APPLICATION OF SUNSET ACT. The Public Utility  
 1-41 Commission of Texas is subject to Chapter 325, Government Code  
 1-42 (Texas Sunset Act). Unless continued in existence as provided by  
 1-43 that chapter or by Chapter 39, the commission is abolished and this  
 1-44 title expires September 1, 2023 [~~2025~~].

1-45 SECTION 1.04. OFFICE OF PUBLIC UTILITY COUNSEL. Section  
 1-46 13.002, Utilities Code, is amended to read as follows:

1-47 Sec. 13.002. APPLICATION OF SUNSET ACT. The Office of  
 1-48 Public Utility Counsel is subject to Chapter 325, Government Code  
 1-49 (Texas Sunset Act). Unless continued in existence as provided by  
 1-50 that chapter, the office is abolished and this chapter expires  
 1-51 September 1, 2023 [~~2025~~].

1-52 SECTION 1.05. SAN JACINTO RIVER AUTHORITY. Section 1A(a),  
 1-53 Chapter 426, Acts of the 45th Legislature, Regular Session, 1937,  
 1-54 is amended to read as follows:

1-55 (a) The District is subject to review under Chapter 325,  
 1-56 Government Code (Texas Sunset Act), but may not be abolished under  
 1-57 that chapter. The review shall be conducted under Section 325.025,

2-1 Government Code, as if the District were a state agency scheduled to  
2-2 be abolished September 1, 2023 [~~2021~~], and every 12th year after  
2-3 that year.

2-4 ARTICLE 2. ENTITIES GIVEN 2025 SUNSET DATE

2-5 SECTION 2.01. TEXAS DEPARTMENT OF INSURANCE AND DIVISION OF  
2-6 WORKERS' COMPENSATION, TEXAS DEPARTMENT OF INSURANCE. Section  
2-7 31.004, Insurance Code, is amended to read as follows:

2-8 Sec. 31.004. SUNSET PROVISION. (a) The Texas Department of  
2-9 Insurance is subject to Chapter 325, Government Code (Texas Sunset  
2-10 Act). Unless continued in existence as provided by that chapter,  
2-11 the department is abolished September 1, 2025 [~~2023~~].

2-12 (b) Unless continued as provided by Chapter 325, Government  
2-13 Code, the duties of the division of workers' compensation of the  
2-14 Texas Department of Insurance under Title 5, Labor Code, expire  
2-15 September 1, 2025 [~~2023~~], or another date designated by the  
2-16 legislature.

2-17 SECTION 2.02. OFFICE OF PUBLIC INSURANCE COUNSEL. Section  
2-18 501.003, Insurance Code, is amended to read as follows:

2-19 Sec. 501.003. SUNSET PROVISION. The office is subject to  
2-20 Chapter 325, Government Code (Texas Sunset Act). Unless continued  
2-21 in existence as provided by that chapter, the office is abolished  
2-22 September 1, 2025 [~~2023~~].

2-23 SECTION 2.03. OFFICE OF INJURED EMPLOYEE COUNSEL. Section  
2-24 404.003, Labor Code, is amended to read as follows:

2-25 Sec. 404.003. SUNSET PROVISION. The office of injured  
2-26 employee counsel is subject to Chapter 325, Government Code (Texas  
2-27 Sunset Act). Unless continued in existence as provided by that  
2-28 chapter, the office is abolished and this chapter expires September  
2-29 1, 2025 [~~2023~~].

2-30 ARTICLE 3. ENTITIES GIVEN 2027 SUNSET DATE

2-31 SECTION 3.01. TEXAS PUBLIC FINANCE AUTHORITY. Section  
2-32 1232.072, Government Code, is amended to read as follows:

2-33 Sec. 1232.072. SUNSET PROVISION. The Texas Public Finance  
2-34 Authority is subject to Chapter 325 (Texas Sunset Act). Unless  
2-35 continued in existence as provided by that chapter, the authority  
2-36 is abolished and this chapter expires September 1, 2027 [~~2023~~].

2-37 SECTION 3.02. TEXAS STATE AFFORDABLE HOUSING CORPORATION.  
2-38 Section 2306.5521, Government Code, is amended to read as follows:

2-39 Sec. 2306.5521. SUNSET PROVISION. The Texas State  
2-40 Affordable Housing Corporation is subject to Chapter 325 (Texas  
2-41 Sunset Act). Unless continued in existence as provided by that  
2-42 chapter, the corporation is abolished and this subchapter expires  
2-43 September 1, 2027 [~~2023~~].

2-44 SECTION 3.03. COMMISSION ON STATE EMERGENCY  
2-45 COMMUNICATIONS. Section 771.032, Health and Safety Code, is  
2-46 amended to read as follows:

2-47 Sec. 771.032. APPLICATION OF SUNSET ACT. The Commission on  
2-48 State Emergency Communications is subject to Chapter 325,  
2-49 Government Code (Texas Sunset Act). Unless continued in existence  
2-50 as provided by that chapter, the commission is abolished and this  
2-51 chapter expires September 1, 2027 [~~2023~~].

2-52 ARTICLE 4. ENTITIES GIVEN 2029 SUNSET DATE

2-53 SECTION 4.01. CANCER PREVENTION AND RESEARCH INSTITUTE OF  
2-54 TEXAS. Section 102.003, Health and Safety Code, is amended to read  
2-55 as follows:

2-56 Sec. 102.003. SUNSET PROVISION. The Cancer Prevention and  
2-57 Research Institute of Texas is subject to Chapter 325, Government  
2-58 Code (Texas Sunset Act). Unless continued in existence as provided  
2-59 by that chapter, the institute is abolished and this chapter  
2-60 expires September 1, 2029 [~~2023~~].

2-61 SECTION 4.02. STATE BOARD OF VETERINARY MEDICAL EXAMINERS.  
2-62 (a) Section 801.003, Occupations Code, is amended to read as  
2-63 follows:

2-64 Sec. 801.003. APPLICATION OF SUNSET ACT. The State Board of  
2-65 Veterinary Medical Examiners is subject to Chapter 325, Government  
2-66 Code (Texas Sunset Act). Unless continued in existence as provided  
2-67 by that chapter, the board is abolished [~~and this chapter expires~~  
2-68 September 1, 2029 [~~2021~~].

2-69 (b) The Sunset Advisory Commission shall conduct a

3-1 special-purpose review of the State Board of Veterinary Medical  
 3-2 Examiners for the 88th Legislature. In conducting the  
 3-3 special-purpose review under this subsection:

3-4 (1) the Sunset Advisory Commission staff evaluation  
 3-5 and report must be limited to reviewing the implementation of the  
 3-6 State Board of Veterinary Medical Examiners' database system and  
 3-7 the board's processes and procedures for collecting and analyzing  
 3-8 data as recommended by the commission to the 87th Legislature; and

3-9 (2) the commission's recommendations to the 88th  
 3-10 Legislature may include any recommendation the commission  
 3-11 considers appropriate based on the special-purpose review.

3-12 (c) The state auditor shall conduct an effectiveness audit  
 3-13 of the State Board of Veterinary Medical Examiners to evaluate:

3-14 (1) the board's implementation of the data-related  
 3-15 recommendations made in the report on the board submitted by the  
 3-16 Sunset Advisory Commission to the 85th Legislature and identified  
 3-17 as not fully implemented in the report on the board submitted by the  
 3-18 commission to the 87th Legislature; and

3-19 (2) any additional recommendation made in the Sunset  
 3-20 Advisory Commission's report on the special-purpose review under  
 3-21 Subsection (b) of this section.

3-22 (d) The state auditor may not begin the audit required by  
 3-23 Subsection (c) of this section before December 1, 2023, and shall  
 3-24 prepare and submit a report of the findings of the audit to the  
 3-25 chair and executive director of the Sunset Advisory Commission not  
 3-26 later than December 1, 2024.

3-27 (e) The state auditor shall include the auditor's duties  
 3-28 under this section in each audit plan under Section 321.013,  
 3-29 Government Code, that governs the auditor's duties for the period  
 3-30 specified by Subsection (d) of this section.

3-31 ARTICLE 5. ENTITIES GIVEN 2031 SUNSET DATE

3-32 SECTION 5.01. TEXAS REAL ESTATE COMMISSION. Section  
 3-33 1101.006, Occupations Code, is amended to read as follows:

3-34 Sec. 1101.006. APPLICATION OF SUNSET ACT. The Texas Real  
 3-35 Estate Commission is subject to Chapter 325, Government Code (Texas  
 3-36 Sunset Act). Unless continued in existence as provided by that  
 3-37 chapter, the commission is abolished and this chapter, Chapter  
 3-38 1102, and Chapter 1303 of this code and Chapter 221, Property Code,  
 3-39 expire September 1, 2031 [~~2025~~].

3-40 SECTION 5.02. TEXAS APPRAISER LICENSING AND CERTIFICATION  
 3-41 BOARD. Section 1103.006, Occupations Code, is amended to read as  
 3-42 follows:

3-43 Sec. 1103.006. APPLICATION OF SUNSET ACT. The Texas  
 3-44 Appraiser Licensing and Certification Board is subject to Chapter  
 3-45 325, Government Code (Texas Sunset Act). Unless continued in  
 3-46 existence as provided by that chapter, the board is abolished and  
 3-47 this chapter and Chapter 1104 expire September 1, 2031 [~~2025~~].

3-48 ARTICLE 6. ENTITIES REMOVED FROM SUNSET REVIEW

3-49 SECTION 6.01. TEXAS A&M FOREST SERVICE. Section 88.1016,  
 3-50 Education Code, is repealed.

3-51 ARTICLE 7. LIMITED REVIEWS REMOVED FROM SUNSET REVIEW

3-52 SECTION 7.01. HEALTH AND HUMAN SERVICES COMMISSION,  
 3-53 DEPARTMENT OF STATE HEALTH SERVICES, AND DEPARTMENT OF FAMILY AND  
 3-54 PROTECTIVE SERVICES. Section 531.0206, Government Code, is  
 3-55 repealed.

3-56 SECTION 7.02. THE HEALTH AND HUMAN SERVICES COMMISSION'S  
 3-57 OFFICE OF INSPECTOR GENERAL. Section 531.102(y), Government Code,  
 3-58 is repealed.

3-59 ARTICLE 8. SUNSET REVIEW PROCESS

3-60 SECTION 8.01. PROCEDURES DURING DECLARED DISASTER. Section  
 3-61 325.0125(b), Government Code, is amended to read as follows:

3-62 (b) The commission may only exempt agencies that have been  
 3-63 inactive for a period of two years preceding the date the agency is  
 3-64 scheduled for abolition, ~~or~~ that have been rendered inactive by  
 3-65 an action of the legislature, or that the commission determines are  
 3-66 unable to participate in the review due to a declared disaster.

3-67 ARTICLE 9. EFFECTIVE DATE

3-68 SECTION 9.01. EFFECTIVE DATE. This Act takes effect  
 3-69 immediately if it receives a vote of two-thirds of all the members

4-1 elected to each house, as provided by Section 39, Article III, Texas  
4-2 Constitution. If this Act does not receive the vote necessary for  
4-3 immediate effect, this Act takes effect September 1, 2021.

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