

By: Martinez Fischer

H.B. No. 4612

A BILL TO BE ENTITLED

AN ACT

1
2 relating to efficiency audits of Operation Lone Star and other
3 border security programs.

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

5 SECTION 1. Subchapter D, Chapter 411, Government Code, is
6 amended by adding Section 411.056 to read as follows:

7 Sec. 411.056. EFFICIENCY AUDIT. (a) For purposes of this
8 section, "efficiency audit" means an investigation of the
9 implementation and administration of Operation Lone Star and other
10 border security programs to examine fiscal management, efficiency
11 of the use of resources, and the effectiveness of state efforts in
12 achieving the border security goals of this state.

13 (b) In 2024 and every second year after that year, an
14 external auditor selected under Subsection (e) shall conduct the
15 efficiency audit required by this section.

16 (c) The department shall pay the costs associated with an
17 efficiency audit required under this section using existing
18 resources.

19 (d) The comptroller shall ensure that the external auditor
20 conducts the efficiency audit in accordance with the requirements
21 of this section.

22 (e) Not later than March 1 of the year in which an efficiency
23 audit is required under this section, the comptroller shall select
24 and contract with an external auditor to conduct the efficiency

1 audit.

2 (f) The external auditor shall be independent and not
3 subject to direction from:

- 4 (1) the department;
- 5 (2) the Texas Military Department; or
- 6 (3) any other state agency subject to evaluation by
7 the auditor for purposes of this section or that receives or spends
8 money under the programs described by Subsection (a).

9 (g) The external auditor shall complete the audit not later
10 than the 90th day after the date the auditor is selected.

11 (h) The Legislative Budget Board shall establish the scope
12 of the efficiency audit and determine the areas of investigation
13 for the audit, including:

14 (1) reviewing the resources dedicated to a program
15 described by Subsection (a) to determine whether those resources:

16 (A) are being used effectively and efficiently to
17 achieve desired program outcomes, including securing the border;
18 and

19 (B) are not being used for purposes other than
20 the intended goals of the applicable program;

21 (2) identifying cost savings or reallocations of
22 resources; and

23 (3) reviewing governmental contracts and grants made
24 related to border security programs.

25 (i) Not later than November 1 of the year an efficiency
26 audit is conducted, the external auditor shall prepare and submit a
27 report of the audit and recommendations for efficiency improvements

1 to the governor, the Legislative Budget Board, the state auditor,
2 the comptroller, and the chairs of the house appropriations
3 committee and the senate finance committee. The governor and the
4 comptroller shall publish the report, recommendations, and full
5 audit on the governor's and the comptroller's Internet websites.

6 SECTION 2. This Act takes effect September 1, 2023.