

By: Metcalf

H.B. No. 5125

A BILL TO BE ENTITLED

AN ACT

relating to the organization and operation of the legislative
branch of state government.

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

SECTION 1. Subchapter B, Chapter 301, Government Code, is
amended by adding Sections 301.0161, 301.0291, 301.0321, and
301.036 to read as follows:

Sec. 301.0161. ADMINISTRATION COMMITTEES. (a) By rule or
resolution, each house may establish an administration committee.

(b) The senate administration committee shall perform the
duties and functions assigned to the committee by rule or
resolution.

(c) The house administration committee shall:

(1) adopt policies and determine guidelines for the
effective and efficient operation of the house, including the
appointment and discharge of employees and the use of state
property and facilities; and

(2) not later than the 60th day after the convening of
a regular session, prepare and distribute to all members a manual of
policy statements to include, but not be limited to, policies
pertaining to members as a class.

Sec. 301.0291. ADMINISTRATIVE HEAD OF AGENCY. (a) For
purposes of any law applicable to the legislature that requires an
action by an administrative head of agency, the senate by

1 resolution shall designate the administrative head of agency for
2 the senate.

3 (b) The senate may delegate all or part of the authority
4 granted under Subsection (a) to a senate committee or legislative
5 officer as provided by law, rule, resolution, or policy.

6 (c) For purposes of any law applicable to the legislature
7 that requires an action by an administrative head of agency and
8 unless otherwise directed by resolution, the speaker is the
9 administrative head of agency for the house of representatives.

10 (d) The speaker may make any expenditures or transfers,
11 including expenditures and transfers necessary to discharge
12 properly the duties and responsibilities of the office of speaker,
13 and perform any function deemed necessary for the effective and
14 efficient operation of the house of representatives.

15 (e) The speaker may delegate all or part of the authority
16 granted under Subsections (c) and (d) to a house committee or
17 legislative officer as provided by law, rule, resolution, or
18 policy.

19 Sec. 301.0321. INTERNS. Notwithstanding Section 301.032 or
20 any other law, a member, officer, committee, or division of a house
21 of the legislature or the lieutenant governor may accept
22 uncompensated service from an individual participating in a bona
23 fide internship program approved by the committee on administration
24 of the respective house and for which the student receives academic
25 credit.

26 Sec. 301.036. COMMITTEES WITH LEGISLATIVE APPOINTEES. (a)
27 This section applies to any committee, council, board, commission,

1 or other body created or authorized by state law:

2 (1) that includes members appointed by the lieutenant
3 governor or the speaker; or

4 (2) for which the lieutenant governor or the speaker
5 designate the presiding officer.

6 (b) For an entity described by Subsection (a), the per diem
7 and travel expenses paid to a member of the entity shall be paid by
8 the state agency providing administrative support to the entity or
9 as otherwise directed by rider in the general appropriations act.

10 (c) An entity described by Subsection (a) is abolished on
11 the date of the convening of the regular session of the legislature
12 following its date of creation or authorization.

13 (d) This section prevails to the extent of any conflict with
14 any other law. The application of this section to an entity
15 described by Subsection (a) may be altered only by an amendment to
16 this section.

17 SECTION 2. Section 301.035, Government Code, is amended to
18 read as follows:

19 Sec. 301.035. [~~JOINT~~] INTERIM COMMITTEE PER DIEM AND TRAVEL
20 EXPENSES. Unless a statute expressly provides otherwise, per diem
21 and travel expenses paid to a member of a joint committee
22 established by statute or an interim committee of a house created by
23 rule or resolution shall be paid by the house to which the member
24 belongs. The per diem and travel expenses paid to a public member of
25 the committee shall be paid by the office of the appointing entity.

26 SECTION 3. Section 301.072, Government Code, is amended by
27 adding Subsection (c) to read as follows:

1 (c) A state agency with charge and control of a state
2 building shall, as soon as practicable, notify each legislative
3 office or agency occupying the building of any planned or
4 anticipated activity described by Subsection (b)(4) that is
5 conducted, directed, or authorized by the state agency, including
6 an interruption in utilities, a maintenance or construction
7 activity likely to cause prolonged noise or vibration perceptible
8 in the space occupied by a legislative office or agency, a major
9 excavation project within 1,000 feet of any outer wall of the
10 building, or a change to or closure of a street or sidewalk adjacent
11 to the building or affecting vehicle or pedestrian access to the
12 building.

13 SECTION 4. Subchapter F, Chapter 301, Government Code, is
14 amended by adding Section 301.073 to read as follows:

15 Sec. 301.073. LEGISLATIVE AGENCY ADMINISTRATIVE FUNCTIONS.
16 In this section, "legislative agency" has the meaning assigned by
17 Section 326.001.

18 (b) The administrative head of a legislative agency shall
19 oversee the agency's central business and administrative functions
20 and other matters vested in or delegated to the administrative
21 head.

22 (c) The director or other highest ranking employee, or that
23 person's designee, is the administrative head of a legislative
24 agency other than the senate or house of representatives.

25 (d) Notwithstanding Section 2101.035, 2101.036, or 2101.037
26 or other law, a legislative agency may use an internal accounting,
27 payroll, purchasing, or enterprise resource planning system

1 selected by the administrative head of the agency.

2 (e) The comptroller shall provide an application
3 programming interface or other means acceptable to the
4 administrative head of a legislative agency for the legislative
5 agency's internal accounting, payroll, purchasing, or enterprise
6 resource planning system to exchange financial and other data with
7 the financial system of record for this state so that the
8 legislative agency may use the internal accounting, payroll,
9 purchasing, or enterprise resource planning system selected by the
10 administrative head of the agency.

11 (f) A legislative agency may use all or any part of an
12 accounting, payroll, purchasing, or enterprise resource planning
13 system provided by the comptroller on request initiated by the
14 administrative head of the agency.

15 (h) With respect to an accounting, payroll, purchasing, or
16 enterprise resource planning system provided by the comptroller,
17 the comptroller shall:

18 (1) inform each administrative head of a legislative
19 agency regarding changes that may impact the legislative agency;

20 (2) attempt to schedule any consultations,
21 requirements discovery, or planning efforts with the legislative
22 agency during the legislative interim; and

23 (3) incorporate the requirements of Subsections (e),
24 (f), and (g) into the system's design.

25 SECTION 4. Section 323.006(b), Government Code, is amended
26 to read as follows:

27 (b) By agreement with either house of the legislature or a

1 legislative agency, the council may perform administrative,
2 accounting, purchasing, facilities management, or other services
3 or functions for or on behalf of the house or agency.

4 SECTION 5. Section 323.009(a), Government Code, is amended
5 to read as follows:

6 (a) The council may reimburse members-elect of the
7 legislature for travel expenses incurred in attending an
8 orientation program [~~conducted by the council~~] between the date of
9 the general election and the convening of the regular legislative
10 session.

11 SECTION 6. Section 468.003(b), Government Code, is amended
12 to read as follows:

13 (b) The Texas Legislative Council may [~~shall~~] provide
14 office space and other support in Austin necessary for the state
15 demographer to perform the demographer's duties for the
16 legislature.

17 SECTION 7. Section 2052.205(a), Government Code, is amended
18 to read as follows:

19 (a) A state agency shall send to the Legislative Reference
20 Library three [~~five~~] physical copies and one electronic copy of
21 each publication that it distributes.

22 SECTION 8. Section 6, Article 38.01, Code of Criminal
23 Procedure, is amended to read as follows:

24 Sec. 6. ASSISTANCE. The [~~Texas Legislative Council, the~~
25 ~~Legislative Budget Board, and The~~] University of Texas at Austin
26 shall assist the commission in performing the commission's duties.

27 SECTION 9. The following provisions of the Government Code

1 are repealed:

- 2 (1) Chapter 328;
- 3 (2) Section 2053.004;
- 4 (3) Chapter 2060; and
- 5 (4) Section 2206.101(e).

6 SECTION 10. This Act takes effect immediately if it
7 receives a vote of two-thirds of all the members elected to each
8 house, as provided by Section 39, Article III, Texas Constitution.
9 If this Act does not receive the vote necessary for immediate
10 effect, this Act takes effect September 1, 2023.