

## **BILL ANALYSIS**

H.B. 53  
By: Swinford  
Government Reform  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

This bill would allow the Governor to designate the presiding officer of the governing boards or commissions of most state agencies and institutions of higher education. This provision would allow the Governor to better manage these executive branch entities.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 53 amends the Government Code to establish provisions relating to designating the presiding officer of the governing body of certain state agencies.

This bill defines "state agency" as a department, commission, board, office, council, authority, or other agency in the executive branch of state government that is created by the constitution or a statute of this state, including a university system or institution of higher education as defined by Section 61.003, Education Code, and a river authority as defined by Section 30.003, Water Code.

H.B. 53 allows the governor to designate a member of the governing body of each state agency as the presiding officer of that governing body to serve in that capacity at the pleasure of the governor. This bill states that Section 651.010, Government Code, does not apply to a state agency that is headed by one or more statewide-elected officials or to an entity that advises or reports to a state agency headed by one or more statewide-elected officials.

### **EFFECTIVE DATE**

This Act takes effect November 1, 2003.