

BILL ANALYSIS

C.S.H.B. 2769
By: Chisum
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Changes made to Section 30a, Article XVI, of the Texas Constitution warrant that the law be changed to adhere to the new language of the Constitution. This bill relates to changing the composition of certain state agency governing bodies with an even number of board members (members).

RULEMAKING AUTHORITY

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

ANALYSIS

C.S.H.B. 2769 changes the composition and/or terms of the boards of the following entities to comply with Section 30a, Article XVI of the Texas Constitution:

Article 1: Texas Commission on Alcohol and Drug Abuse
Article 2: Texas Animal Health Commission
Article 3: Texas Commission on the Arts
Article 4: Advisory Board of Athletic Trainers
Article 5: State Board of Barber Examiners
Article 6: Council on Cardiovascular Disease and Stroke
Article 7: Commodity Producers Boards
Article 8: State Board of Dental Examiners
Article 9: Texas Council for Developmental Disabilities
Article 10: Texas Diabetes Council
Article 11: Texas Distinguished Service Awards Committee
Article 12: State Board for Educator Certification
Article 13: Texas Emancipation Juneteenth Cultural and Historical Commission
Article 14: Texas Commission on Fire Protection
Article 15: Texas Guaranteed Student Loan Corporation
Article 16: Texas Board of Health
Article 17: Texas Health Benefits Purchasing Cooperative
Article 18: Texas Higher Education Coordinating Board
Article 19: Texas Historical Commission
Article 20: Commission on Human Rights
Article 21: Texas Board of Human Services
Article 22: Department of Information Resources
Article 23: Texas Board of Professional Land Surveying
Article 24: Texas State Library and Archives Commission
Article 25: Texas Commission of Licensing and Regulation
Article 26: Texas State Board of Medical Examiners
Article 27: Texas Council on Offenders With Mental Impairments
Article 28: Texas Military Facilities Commission
Article 29: Operation Game Thief Committee
Article 30: Texas Board of Orthotics and Prosthetics
Article 31: Board of Pardons and Paroles Policy Board
Article 32: Polygraph Examiners Board
Article 33: Private Sector Prison Industries Oversight Authority
Article 34: Texas Commission on Private Security

Article 35: Produce Recovery Fund Board
Article 36: Board of Protective and Regulatory Services
Article 37: Texas Racing Commission
Article 38: Texas Real Estate Broker-Lawyer Committee
Article 39: Texas Rehabilitation Commission
Article 40: Risk Management Board
Article 41: Statewide Rural Health Care System
Article 42: Council on Sex Offender Treatment
Article 43: Board of Tax Professional Examiners
Article 44: Texas-Israel Exchange Fund Board
Article 45: Texas Veterans Commission
Article 46: Texas Workers' Compensation Commission
Article 47: Council on Workforce and Economic Competitiveness
Article 48: Texas Youth Commission

C.S.H.B. 2769 also adds Section 651.008 to the Government Code relating to unconstitutionally composed governing bodies with six-year terms. The bill changes the terms of the members of such governing bodies to two-year terms, and provides a detailed mechanism for making appointments and re-appointments to such governing bodies.

C.S.H.B. 2769 also includes provisions relating to the construction of the Act in the event of errors or conflicts in the laws.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 2769 adds the following entities to those included in the original bill:

Advisory Board of Athletic Trainers
Council on Cardiovascular Disease and Stroke
Commodity Producers Boards
State Board for Educator Certification
Texas Guaranteed Student Loan Corporation
Department of Information Resources
Texas Council on Offenders with Mental Impairments
Texas Military Facilities Commission
Board of Pardons and Paroles Policy Board
Private Sector Prison Industries Oversight Authority
Texas Commission on Private Security
Texas Racing Commission
Texas Real Estate Broker-Lawyer Committee
Texas-Israel Exchange Fund Board
Council on Workforce and Economic Competitiveness

C.S.H.B. 2769 also changes the composition and/or terms of the boards of the following entities from those specified in the original bill:

Texas State Libraries and Archives Commission
Polygraph Examiners Board
Texas Racing Commission
Texas Higher Education Coordinating Board
Texas State Board of Medical Examiners
Texas Workers' Compensation Commission
Texas Youth Commission

C.S.H.B. 2769 also repeals Section 12.202(d), Parks and Wildlife Code and changes the composition and/or terms of the Operation Game Thief Committee from those specified in the original bill.