

BILL ANALYSIS

C.S.S.B. 287
By: Ellis, Rodney
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 conform 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.S.B. 287 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.S.B. 287 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.S.B. 287 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.S.B. 287 modifies the engrossed version of SB 287 as follows:

The substitute was drafted in standard Legislative Council Format, whereas the original was not.

Article 7. Commodity Producers Boards. Adds an effective date.

Article 12. Adds State Board of Educator Certification to the bill. Reduces membership from 12 to 11 voting members.

Article 18. Texas Higher Education Coordinating Board. Reduces membership from 18 to 9, requires members to serve six-year staggered terms, and staggers removal.

Article 22. Department of Information Resources. Increases board membership from six to seven and ensures that one-third of the membership expires every two years.

Article 24. Texas State Library and Archives Commission. Increases board membership from six to seven.

Article 28. Adds Texas Military Facilities Commission to the bill. Increases membership from six to seven.

Article 29. Operation Game Thief Committee. Adds two members, maintains the chairman emeritus position on the committee, and makes the chairman emeritus position mandatory rather than discretionary.

Article 32. Polygraph Examiners Board. Adds one public member, increasing board membership from six to seven.

Article 37. Texas Racing Commission. Increases board membership from eight to nine and ensures that one-third of the membership expires every two years.

Article 46. Workers' Compensation Commission. Maintains board size of six members and reduces member terms to two years.

BILL ANALYSIS

C.S.S.B. 287
By: Ellis, Rodney
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 conform 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.S.B. 287 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.S.B. 287 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.S.B. 287 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.S.B. 287 modifies the engrossed version of SB 287 as follows:

The substitute was drafted in standard Legislative Council Format, whereas the original was not.

Article 7. Commodity Producers Boards. Adds an effective date.

Article 12. Adds State Board of Educator Certification to the bill. Reduces membership from 12 to 11 voting members.

Article 18. Texas Higher Education Coordinating Board. Reduces membership from 18 to 9, requires members to serve six-year staggered terms, and staggers removal.

Article 22. Department of Information Resources. Increases board membership from six to seven and ensures that one-third of the membership expires every two years.

Article 24. Texas State Library and Archives Commission. Increases board membership from six to seven.

Article 28. Adds Texas Military Facilities Commission to the bill. Increases membership from six to seven.

Article 29. Operation Game Thief Committee. Adds two members, maintains the chairman emeritus position on the committee, and makes the chairman emeritus position mandatory rather than discretionary.

Article 32. Polygraph Examiners Board. Adds one public member, increasing board membership from six to seven.

Article 37. Texas Racing Commission. Increases board membership from eight to nine and ensures that one-third of the membership expires every two years.

Article 46. Workers' Compensation Commission. Maintains board size of six members and reduces member terms to two years.