

BILL ANALYSIS

S.B. 1382
By: Armbrister
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Self-Directed, Semi-Independent Agency Project Act, passed by the 76th Legislature in 1999, allows three state agencies to operate with increased autonomy and to manage their budgets outside of the appropriations process. The three agencies have successfully performed their functions under this pilot program, and the purpose of Senate Bill 1382 is to continue the pilot program, with certain modifications, until September 1, 2009.

RULEMAKING AUTHORITY

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

ANALYSIS

Senate Bill 1382 amends the Self-Directed, Semi-Independent Agency Project Act which relates to the following three agencies:

- The Texas State Board of Public Accountancy,
- The Texas Board of Professional Engineers, and
- The Texas Board of Architectural Examiners.

The bill empowers the governing boards of the three agencies to determine whether or not to implement legislation enacted by the 78th Legislature relating to such agencies if such legislation is inconsistent with their self-directed, semi-independent status.

The bill extends the sunset provision of the Act from September 1, 2003 to September 1, 2009.

The bill changes the amounts that the three agencies are required to remit to the general revenue fund. The bill increases the amounts remitted by the Board of Public Accountancy and the Board of Professional Engineers, and decreases the amount remitted by the Board of Architectural Examiners.

The bill allows the three agencies to retain each fiscal year fines and other revenue generated from enforcement actions in an amount that is equal to 20% of their expenditures during the previous fiscal year, not to exceed \$1 million. The bill further requires 50% of the unexpended balances of such fines and other revenue retained at the end of each fiscal year to be remitted to the general revenue fund.

The bill requires the agencies to report all gifts, grants, and donations and the purposes for which each was used. The bill prohibits the agencies from accepting gifts, grants, or donations from a party to an enforcement action or to pursue a specific investigation or action.

EFFECTIVE DATE

September 1, 2003.

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