

1-1 By: Chisum, et al. (Senate Sponsor - Nelson) H.B. No. 2455
1-2 (In the Senate - Received from the House May 5, 2003;
1-3 May 7, 2003, read first time and referred to Committee on
1-4 Government Organization; May 24, 2003, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 5,
1-6 Nays 0; May 24, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2455 By: Ratliff

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the governmental entities subject to, and the
1-11 confidentiality of records under, the sunset review process.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 ARTICLE 1. ENTITIES GIVEN 2005 SUNSET DATE

1-14 SECTION 1.01. WINDHAM SCHOOL DISTRICT WITHIN TEXAS
1-15 DEPARTMENT OF CRIMINAL JUSTICE. Chapter 19, Education Code, is
1-16 amended by adding Section 19.0021 to read as follows:

1-17 Sec. 19.0021. SPECIAL PURPOSE REVIEW. (a) As part of its
1-18 review of the Texas Education Agency for the 79th Legislature, the
1-19 Sunset Advisory Commission shall conduct a special purpose review
1-20 of the Windham School District.

1-21 (b) To assist the Sunset Advisory Commission in its review,
1-22 the Texas Education Agency shall:

1-23 (1) conduct a review of the structure, management, and
1-24 operations of the Windham School District; and

1-25 (2) report the results of the review to the commission
1-26 before March 1, 2004.

1-27 (c) After considering the report of the Texas Education
1-28 Agency, the Sunset Advisory Commission shall include in the
1-29 commission's report to the 79th Legislature, Regular Session, 2005,
1-30 any recommendations relating to the Windham School District that
1-31 the commission considers appropriate.

1-32 (d) This section expires September 1, 2005.

1-33 ARTICLE 2. ENTITIES GIVEN 2007 SUNSET DATE

1-34 SECTION 2.01. TEXAS VETERANS COMMISSION. Section
1-35 434.002(a), Government Code, is amended to read as follows:

1-36 (a) The Texas Veterans Commission is subject to Chapter 325
1-37 (Texas Sunset Act). Unless continued in existence as provided by
1-38 that chapter, the commission is abolished September 1, 2007 [2005].

1-39 SECTION 2.02. TEXAS DEPARTMENT OF INSURANCE. Section
1-40 31.004, Insurance Code, is amended to read as follows:

1-41 Sec. 31.004. SUNSET PROVISION. The Texas Department of
1-42 Insurance is subject to Chapter 325, Government Code (Texas Sunset
1-43 Act). Unless continued in existence as provided by that chapter,
1-44 the department is abolished September 1, 2007 [2005].

1-45 SECTION 2.03. OFFICE OF PUBLIC INSURANCE COUNSEL. Section
1-46 7, Article 1.35A, Insurance Code, is amended to read as follows:

1-47 Sec. 7. APPLICABILITY OF SUNSET ACT. The office of public
1-48 insurance counsel is subject to Chapter 325, Government Code (Texas
1-49 Sunset Act). Unless continued in existence as provided by that
1-50 chapter, the office is abolished September 1, 2007 [2005].

1-51 SECTION 2.04. PRESCRIBED BURNING BOARD. Section 153.044,
1-52 Natural Resources Code, is amended to read as follows:

1-53 Sec. 153.044. SUNSET PROVISION. The Prescribed Burning
1-54 Board is subject to Chapter 325, Government Code (Texas Sunset
1-55 Act). Unless continued in existence as provided by that chapter,
1-56 the board is abolished and this chapter expires September 1, 2007
1-57 [2009].

1-58 SECTION 2.05. VETERANS' LAND BOARD. Section 161.0111,
1-59 Natural Resources Code, is amended to read as follows:

1-60 Sec. 161.0111. SUNSET PROVISION. The Veterans' Land Board
1-61 is subject to review under Chapter 325, Government Code (Texas
1-62 Sunset Act), but is not abolished under that chapter. The board
1-63 shall be reviewed during the period in which state agencies

abolished in 2007 [~~2005~~] and every 12th year after 2007 [~~2005~~] are reviewed.

ARTICLE 3. ENTITIES GIVEN 2009 SUNSET DATE

SECTION 3.01. EQUINE RESEARCH ACCOUNT ADVISORY COMMITTEE. Section 88.524(b), Education Code, is amended to read as follows:

(b) The Equine Research Account Advisory Committee is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the advisory committee is abolished and this subchapter expires September 1, 2009 [~~2005~~].

SECTION 3.02. TEXAS ONLINE DIVISION OF THE DEPARTMENT OF INFORMATION RESOURCES. Section 2054.2645, Government Code, is amended to read as follows:

Sec. 2054.2645. SUNSET PROVISION. The division is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the division is abolished September 1, 2009 [~~2005~~].

SECTION 3.03. ELECTRONIC GOVERNMENT PROGRAM MANAGEMENT OFFICE OF THE DEPARTMENT OF INFORMATION RESOURCES. Section 2055.003, Government Code, is amended to read as follows:

Sec. 2055.003. SUNSET PROVISION. The office is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished September 1, 2009 [~~2005~~].

SECTION 3.04. TEXAS BOARD OF CHIROPRACTIC EXAMINERS. Section 201.004, Occupations Code, is amended to read as follows:

Sec. 201.004. APPLICATION OF SUNSET ACT. The Texas Board of Chiropractic Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2009 [~~2005~~].

SECTION 3.05. STATE BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY. Section 401.002, Occupations Code, is amended to read as follows:

Sec. 401.002. APPLICATION OF SUNSET ACT. The State Board of Examiners for Speech-Language Pathology and Audiology is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2009 [~~2005~~].

SECTION 3.06. STATE COMMITTEE OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS. Section 402.002, Occupations Code, is amended to read as follows:

Sec. 402.002. APPLICATION OF SUNSET ACT. The State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the committee is abolished and this chapter expires September 1, 2009 [~~2005~~].

SECTION 3.07. EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND OCCUPATIONAL THERAPY EXAMINERS. Section 452.002, Occupations Code, is amended to read as follows:

Sec. 452.002. APPLICATION OF SUNSET ACT. The Executive Council of Physical Therapy and Occupational Therapy Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the executive council is abolished and the following laws expire September 1, 2009 [~~2005~~]:

- (1) this chapter;
- (2) Chapter 453; and
- (3) Chapter 454.

SECTION 3.08. TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS. Section 453.002, Occupations Code, is amended to read as follows:

Sec. 453.002. APPLICATION OF SUNSET ACT. The Texas Board of Physical Therapy Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2009 [~~2005~~].

SECTION 3.09. TEXAS BOARD OF OCCUPATIONAL THERAPY EXAMINERS. Section 454.003, Occupations Code, is amended to read

as follows:

Sec. 454.003. APPLICATION OF SUNSET ACT. The Texas Board of Occupational Therapy Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2009 [~~2005~~].

SECTION 3.10. TELECOMMUNICATIONS INFRASTRUCTURE FUND BOARD. Section 57.051, Utilities Code, is amended to read as follows:

Sec. 57.051. SUNSET PROVISION. The Telecommunications Infrastructure Fund Board is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this subchapter expires September 1, 2009 [~~2005~~].

SECTION 3.11. TEXAS RACING COMMISSION. Section 18.01(a), Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) The Texas Racing Commission is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, and except as provided by Subsections (b) and (c) of this section, the commission is abolished and this Act expires September 1, 2009 [~~2005~~].

ARTICLE 4. ENTITIES GIVEN 2011 SUNSET DATE

SECTION 4.01. CORRECTIONAL MANAGED HEALTH CARE COMMITTEE. Section 501.132, Government Code, is amended to read as follows:

Sec. 501.132. APPLICATION OF SUNSET ACT. The Correctional Managed Health Care Committee is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the committee is abolished and this subchapter expires September 1, 2011 [~~2005~~].

ARTICLE 5. ENTITIES GIVEN 2013 SUNSET DATE

SECTION 5.01. ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL. Section 367.003(a), Health and Safety Code, is amended to read as follows:

(a) The council is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the council is abolished and this chapter expires September 1, 2013 [~~2005~~].

ARTICLE 6. ENTITIES REMOVED FROM SPECIFIC SUNSET REVIEW

SECTION 6.01. REPEALER. The following laws are repealed:

(1) Section 50A.003, Agriculture Code (Texas Food for Health Advisory Council);

(2) Section 262.057, Occupations Code (Dental Hygiene Advisory Committee);

(3) Section 8, Chapter 105, Acts of the 76th Legislature, Regular Session, 1999 (Article 2654-3g, Vernon's Texas Civil Statutes) (Texas Environmental Education Partnership Fund); and

(4) Section 1.12, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993 (Edwards Aquifer Authority).

ARTICLE 7. CONFIDENTIALITY OF SUNSET RECORDS

SECTION 7.01. CONFIDENTIALITY. Chapter 325, Government Code, is amended by adding Section 325.0195 to read as follows:

Sec. 325.0195. RECORDS PROTECTED FROM DISCLOSURE. (a) A working paper, including all documentary or other information, prepared or maintained by the commission staff in performing its duties under this chapter or other law to conduct an evaluation and prepare a report is excepted from the public disclosure requirements of Section 552.021.

(b) A record held by another entity that is considered to be confidential by law and that the commission receives in connection with the performance of the commission's functions under this chapter or another law remains confidential and is excepted from the public disclosure requirements of Section 552.021.

ARTICLE 8. EFFECTIVE DATE

SECTION 8.01. EFFECTIVE DATE. This Act takes effect September 1, 2003.

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