

## **BILL ANALYSIS**

H.B. 2716  
By: Swinford  
Economic Development  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, enabling legislation for sixty-five agencies requires the agencies to file Equal Employment Opportunity reports and personnel policy statements with the Governor's Office. This, in turn, requires the Governor's Office to file a report with the Legislature based on the information provided by the agencies. The agency reports are filed annually and the governor's report is filed biennially. The enabling legislation for forty-three additional agencies requires them to file Equal Employment Opportunity reports with the Governor's Office annually, but does not require the Governor's Office to file a subsequent report with the Legislature.

The agency reporting requirement is vague and the wording varies from one agency's legislation to another. The governor's reporting requirement duplicates functions of the Texas Workforce Commission human rights division (formerly the Texas Commission on Human Rights) resulting in an ineffective use of state resources. This legislation directs all Equal Employment Opportunity reports and personnel policy statements to the Texas Workforce Commission human rights division and eliminates duplicate reports.

### **RULEMAKING AUTHORITY**

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

### **ANALYSIS**

SECTION 1. Amends Section 2052.003, Government Code, by amending Subsection (a) and adding Subsection (d) to provide that personnel policy statements and Equal Employment Opportunity reports required to be filed with the governor should instead be filed with the Texas Workforce Commission civil rights division. It further provides that a report required to be compiled by the governor and filed with the legislature should be compiled and filed first by the Texas Workforce Commission civil rights division and later filed with the governor and the legislature. Finally, it provides that the Texas Workforce Commission civil rights division may file the report as a separate report or include it in any other biennial report.

SECTION 2. Provides the effective date of this Act.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.