

By: Brown of Brazos

H.B. No. 2468

A BILL TO BE ENTITLED

AN ACT

1
2 relating to statutory authority to reduce appropriations made by
3 the legislature to certain regulatory entities.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. BALANCED BUDGET AUTHORITY. (a) Notwithstanding
6 any statute to the contrary, the legislature, in its discretion,
7 may determine the amount of each appropriation of state funds. The
8 amounts required by statute for entities that receive state funds
9 under Article VIII of the General Appropriations Act, 79th
10 Legislature, Regular Session, 2005, may be reduced or eliminated in
11 order to achieve a balanced budget.

12 (b) This section expires September 1, 2007.

13 SECTION 2. STATE OFFICE OF ADMINISTRATIVE HEARINGS. The
14 State Office of Administrative Hearings shall reduce expenditures
15 by eliminating the billing rate charged to referring agencies by
16 the office under Section 2003.024, Government Code, to cover excess
17 workload expenses.

18 SECTION 3. TEXAS STATE BOARD OF MEDICAL EXAMINERS. The
19 Texas State Board of Medical Examiners shall reduce expenditures by
20 eliminating:

21 (1) the physician assistant loan reimbursement
22 program, as described by Section 204.104, Occupations Code, under
23 the Office of Rural Community Affairs;

24 (2) the duty to perform certain internal audits; and

1 (3) the board's newsletter and providing the
2 information contained in the newsletter on the Internet.

3 SECTION 4. TEXAS RACING COMMISSION. The Texas Racing
4 Commission shall reduce expenditures by, among other ways,
5 allocating:

6 (1) the Texas-bred program funds described by Section
7 9.03, Texas Racing Act (Article 179e, Vernon's Texas Civil
8 Statutes), to the state horse breed registries described by Section
9 6.08(i), Texas Racing Act (Article 179e, Vernon's Texas Civil
10 Statutes); and

11 (2) the appropriate funds under Section 6.09, Texas
12 Racing Act (Article 179e, Vernon's Texas Civil Statutes), for
13 Texas-bred greyhound races to the state greyhound breed registry
14 described by Section 10.05, Texas Racing Act (Article 179e,
15 Vernon's Texas Civil Statutes).

16 SECTION 5. TEXAS WORKERS' COMPENSATION COMMISSION. The
17 Texas Workers' Compensation Commission shall reduce expenditures
18 by:

19 (1) requiring a nonprevailing party in a medical
20 dispute resolution conducted under Section 413.031, Labor Code, to
21 pay the cost of the medical dispute resolution;

22 (2) performing audits of an insurance carrier under
23 Section 414.004, Labor Code, at the commission's offices rather
24 than the offices of the insurance carrier; and

25 (3) if a review or audit reveals a violation of
26 Subtitle A, Title 5, Labor Code, or a rule of the commission,
27 requiring health care providers and insurance carriers to pay the

1 reasonable costs of subsequent reviews or audits, including:

2 (A) reviews by the commission's medical quality
3 review panel under Sections 413.0511 and 413.0512, Labor Code;

4 (B) health care provider reviews by the
5 commission; and

6 (C) audits of insurance carriers for medical
7 compliance.

8 SECTION 6. APPLICABILITY OF CERTAIN REQUIREMENTS. (a)

9 This section applies to the following state agencies:

10 (1) the State Office of Administrative Hearings;

11 (2) the Texas State Board of Medical Examiners;

12 (3) the Texas Racing Commission; and

13 (4) the Texas Workers' Compensation Commission.

14 (b) Notwithstanding any other statute of this state, each
15 state agency to which this section applies is authorized to reduce
16 expenditures by:

17 (1) consolidating any reports or publications the
18 agency is required to make and filing or delivering any of those
19 reports or publications exclusively by electronic means;

20 (2) extending the effective period of any license,
21 permit, or registration the agency grants or administers;

22 (3) entering into a contract with another governmental
23 entity or with a private vendor to carry out any of the agency's
24 duties;

25 (4) providing that any communication between the
26 agency and another person and any document required to be delivered
27 to or by the agency, including any application, notice, billing

1 statement, receipt, or certificate, may be made or delivered by
2 electronic mail or through the Internet; and

3 (5) adopting and collecting fees or charges to cover
4 any costs the agency incurs in performing its lawful functions.

5 SECTION 7. USE OF SYSTEM BENEFIT FUND. Section 39.903(e),
6 Utilities Code, as amended by Chapters 1394, 1451, and 1466, Acts of
7 the 77th Legislature, Regular Session, 2001, is reenacted and
8 amended to read as follows:

9 (e) Money in the system benefit fund may be appropriated to
10 provide funding solely for the following [~~regulatory~~] purposes,
11 [~~and~~] in the following order of priority:

12 (1) the medical assistance program under Chapter 32,
13 Human Resources Code;

14 (2) customer education programs, administrative
15 expenses incurred by the commission in implementing and
16 administering this chapter, and expenses incurred by the office
17 under this chapter;

18 (3) programs to assist low-income electric customers
19 by providing the 10 percent reduced rate prescribed by Subsection
20 (h);

21 (4) programs to assist low-income electric customers
22 by providing the targeted energy efficiency programs described by
23 Subsection (f)(2); [~~customer education programs, administrative~~
24 ~~expenses incurred by the commission in implementing and~~
25 ~~administering this chapter, and expenses incurred by the office~~
26 ~~under this chapter,]~~

27 (5) the school funding loss mechanism provided by

1 Section 39.901;

2 (6) programs to assist low-income electric customers
3 by providing the 20 percent reduced rate prescribed by Subsection
4 (h); and

5 (7) reimbursement to the commission and the Health and
6 Human Services Commission [~~Texas Department of Human Services~~] for
7 expenses incurred in the implementation and administration of an
8 integrated eligibility process created under Section 17.007 for
9 customer service discounts relating to retail electric service,
10 including outreach expenses the commission determines are
11 reasonable and necessary.

12 SECTION 8. EFFECTIVE DATE. This Act takes effect
13 immediately if it receives a vote of two-thirds of all the members
14 elected to each house, as provided by Section 39, Article III, Texas
15 Constitution. If this Act does not receive the vote necessary for
16 immediate effect, this Act takes effect September 1, 2005.