

By: Geren

H.B. No. 3362

A BILL TO BE ENTITLED

AN ACT

relating to performance and efficiency reviews of certain governmental entities and programs.

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

SECTION 1. Subchapter B, Chapter 403, Government Code, is amended by adding Sections 403.020, 403.0201, 403.0202, 403.0203, and 403.0204 to read as follows:

Sec. 403.020. EFFICIENCY REVIEW OF STATE AGENCIES. (a) In this section, "state agency" has the meaning assigned by Section 2056.001.

(b) The comptroller periodically may review and analyze the effectiveness and efficiency of the policies, management, fiscal affairs, and operations of state agencies.

(c) The comptroller shall report the findings of the review and analysis to the governor and the legislature.

(d) The legislature may consider the comptroller's reports in connection with the legislative appropriations process.

Sec. 403.0201. PERFORMANCE REVIEW OF INSTITUTIONS OF HIGHER EDUCATION. (a) In this section, "public junior college" and "general academic teaching institution" have the meanings assigned by Section 61.003, Education Code.

(b) The comptroller may periodically review the effectiveness and efficiency of the budgets and operations of:

(1) public junior colleges; and

1 (2) general academic teaching institutions.

2 (c) A review under this section may be initiated by the
3 comptroller or at the request of:

4 (1) the governor; or

5 (2) the public junior college or general academic
6 teaching institution.

7 (d) A review may be initiated by a public junior college or
8 general academic teaching institution only at the request of the
9 president of the college or institution or by a resolution adopted
10 by a majority of the governing body of the college or institution.

11 (e) If a review is initiated by a public junior college or
12 general academic teaching institution, the comptroller may require
13 the college or institution to pay 25 percent of the cost incurred in
14 conducting the review.

15 (f) The comptroller shall:

16 (1) prepare a report showing the results of each
17 review conducted under this section;

18 (2) file the report with:

19 (A) the chief executive officer of the public
20 junior college or general academic teaching institution that is the
21 subject of the report; and

22 (B) the governor, the lieutenant governor, the
23 speaker of the house of representatives, the chairs of the standing
24 committees of the senate and of the house of representatives with
25 primary jurisdiction over higher education, and the commissioner of
26 higher education; and

27 (3) make the entire report and a summary of the report

1 available to the public on the Internet.

2 Sec. 403.0202. PERFORMANCE REVIEW OF SCHOOL DISTRICTS. (a)
3 The comptroller may periodically review the effectiveness and
4 efficiency of the operations of school districts, including the
5 district's expenditures for its officers' and employees' travel
6 services. A review of a school district may be initiated by the
7 comptroller at the comptroller's discretion or on the request of
8 the school district. A review may be initiated by a school district
9 only by resolution adopted by a majority of the members of the board
10 of trustees of the district.

11 (b) If a review is initiated on the request of the school
12 district, the comptroller may require the district to pay 25
13 percent of the cost incurred in conducting the review.

14 (c) The comptroller shall:

15 (1) prepare a report showing the results of each
16 review conducted under this section;

17 (2) file the report with the school district, the
18 governor, the lieutenant governor, the speaker of the house of
19 representatives, the chairs of the standing committees of the
20 senate and the house of representatives with jurisdiction over
21 public education, and the commissioner of education; and

22 (3) make the entire report and a summary of the report
23 available to the public on the Internet.

24 Sec. 403.0203. REVIEW OF INTERSCHOLASTIC COMPETITION. The
25 comptroller may periodically review and analyze the effectiveness
26 and efficiency of the policies, management, fiscal affairs, and
27 operations of an organization that is a component or part of a state

1 agency or institution and that sanctions or conducts
2 interscholastic competition. The comptroller shall report the
3 findings to the governor and the legislature. The legislature may
4 consider the comptroller's reports in connection with the
5 legislative appropriations process.

6 Sec. 403.0204. RECORDS MANAGEMENT REVIEW. (a) In this
7 section, "state agency" has the meaning assigned by Section
8 2056.001.

9 (b) The comptroller may periodically review and analyze the
10 effectiveness and efficiency of the policies and management of a
11 state governmental committee or state agency that is involved in:

12 (1) analyzing and recommending improvements to the
13 state's system of records management; and

14 (2) preserving the essential records of this state,
15 including records relating to financial management information.

16 SECTION 2. Sections 322.015, 322.016, 322.0165, 322.017,
17 and 322.018, Government Code, are repealed.

18 SECTION 3. On the effective date of this Act:

19 (1) all records and other property of the Legislative
20 Budget Board that relate to efficiency reviews of state agencies,
21 performance reviews of institutions of higher education,
22 performance reviews of school districts, reviews of
23 interscholastic competition, or records management reviews are
24 transferred to the comptroller of public accounts;

25 (2) all unexpended and unobligated appropriations of
26 the Legislative Budget Board relating to the board's efficiency
27 reviews of state agencies, performance reviews of institutions of

1 higher education, performance reviews of school districts, reviews
2 of interscholastic competition, or records management reviews are
3 transferred to the comptroller of public accounts;

4 (3) all employees of the Legislative Budget Board
5 whose primary functions relate to efficiency reviews of state
6 agencies, performance reviews of institutions of higher education,
7 performance reviews of school districts, reviews of
8 interscholastic competition, or records management reviews become
9 employees of the comptroller of public accounts; and

10 (4) any reference in law to the Legislative Budget
11 Board that relates to efficiency reviews of state agencies,
12 performance reviews of institutions of higher education,
13 performance reviews of school districts, reviews of
14 interscholastic competition, or records management reviews means
15 the comptroller of public accounts.

16 SECTION 4. This Act takes effect September 1, 2005.