

By: Callegari

H.B. No. 2443

Substitute the following for H.B. No. 2443:

By: Berman

C.S.H.B. No. 2443

A BILL TO BE ENTITLED

AN ACT

relating to the operation, organization, and management of governmental entities, including the repeal of certain obsolete laws.

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

ARTICLE 1. ELIMINATION OR CONSOLIDATION OF STATUTORILY

REQUIRED REPORTS

SECTION 1.01. Subchapter A, Chapter 441, Government Code, is amended by adding Section 441.0135 to read as follows:

Sec. 441.0135. REPORT OF REPORTS. (a) Not later than January 1, 2009, the commission shall submit to the governor and the Legislative Budget Board a written report regarding all statutorily required reports. The commission may consult with other state agencies in preparing the report. A state agency shall cooperate with the commission in securing the information necessary for preparing the report. The report must include for each statutorily required report:

- (1) the title of and the agency preparing the report;
- (2) the statutory authority requiring the report;
- (3) the recipient of the report;
- (4) the deadline for submitting the report;
- (5) a brief description of the report; and
- (6) an assessment from each recipient of the report regarding the usefulness of the report.

1        (b) The report required by Subsection (a) must:

2                (1) be made available to the public; and

3                (2) provide indices by preparing agency, title of  
4 report, and report recipient.

5        (c) This section expires January 15, 2009.

6        SECTION 1.02. Section 441.157(d), Government Code, is  
7 amended to read as follows:

8        (d) The commission shall report annually to the governor and  
9 the Legislative Budget Board [~~legislature~~] all grants made under  
10 the program. This section expires September 1, 2015.

11        SECTION 1.03. Section 751.005(b), Government Code, is  
12 amended to read as follows:

13        (b) The director shall:

14                (1) help coordinate state and federal programs dealing  
15 with the same subject;

16                (2) inform the governor and the legislature of federal  
17 programs that may be carried out in the state or that affect state  
18 programs;

19                (3) provide federal agencies and the United States  
20 Congress with information about state policy and state conditions  
21 on matters that concern the federal government;

22                (4) provide the legislature with information useful in  
23 measuring the effect of federal actions on the state and local  
24 programs; and

25                (5) prepare and supply to the governor and all members  
26 of the legislature an annual report that:

27                        (A) describes the office's operations;

1 (B) contains the office's priorities and  
2 strategies for the following year;

3 (C) details projects and legislation pursued by  
4 the office;

5 (D) discusses issues in the following  
6 congressional session of interest to this state; and

7 (E) contains an analysis of federal funds  
8 availability and formulae[; ~~and~~

9 [~~(6) prepare annually a complete and detailed written~~  
10 ~~report accounting for all funds received and disbursed by the~~  
11 ~~office during the preceding fiscal year].~~

12 SECTION 1.04. Section 1231.086(b), Government Code, is  
13 amended to read as follows:

14 (b) On November 15 of each year, the board shall send to the  
15 lieutenant governor, the speaker of the house, and each member of  
16 the legislature[~~, and the joint committee~~] a report of the  
17 information received under this subchapter for the fiscal year  
18 ending August 31 of that year.

19 SECTION 1.05. Section 21.504, Labor Code, is amended to  
20 read as follows:

21 Sec. 21.504. ANNUAL REPORT. Not later than November 1 of  
22 each calendar year, each state agency shall report to the  
23 commission the total number of African Americans, Hispanic  
24 Americans, females, and other persons hired for each job category  
25 by the agency during the preceding state fiscal year. [~~The~~  
26 ~~commission shall compile this information and submit a report based~~  
27 ~~on the information to the governor and the Legislative Budget Board~~

1 ~~not later than January 1 of the subsequent calendar year.]~~

2 SECTION 1.06. Subchapter K, Chapter 21, Labor Code, is  
3 amended by adding Section 21.5511 to read as follows:

4 Sec. 21.5511. EQUAL EMPLOYMENT OPPORTUNITY POLICY. (a) A  
5 state agency shall prepare a written policy statement that  
6 implements a program of equal employment opportunity to ensure that  
7 all personnel decisions are made without regards to race, color,  
8 disability, sex, religion, age, or national origin and submit the  
9 statement to the commission for approval and filing not later than  
10 September 1 of each year and immediately after an agency amends its  
11 statement.

12 (b) The commission shall monitor federal and state statutes  
13 and rules relating to the statement required under Subsection (a)  
14 and shall inform state agencies when an agency's statement does not  
15 comply with current statutes or rules.

16 (c) This section expires September 1, 2015.

17 SECTION 1.07. Section 21.553, Labor Code, is amended to  
18 read as follows:

19 Sec. 21.553. COOPERATION WITH COMPTROLLER AND UNIFORM  
20 STATEWIDE ACCOUNTING SYSTEM; REPORT TO LEGISLATURE. (a) The  
21 commission shall compile the information reported to the commission  
22 under this subchapter and Section 21.504 with the assistance of the  
23 comptroller and the uniform statewide accounting system.

24 (b) The commission shall conduct an analysis of the  
25 information reported to the commission under this subchapter and  
26 Section 21.504 and report the results of that analysis to the  
27 legislature not later than the fifth day of each regular session of

1 the legislature. The report required under this subsection must be  
2 written in plain language.

3 (c) The commission shall include in the report under this  
4 section a list of state agencies that are not in compliance with  
5 Section 21.5511. This subsection expires September 1, 2015.

6 SECTION 1.08. Article 6447a-1, Revised Statutes, is amended  
7 to read as follows:

8 Art. 6447a-1. DEFINITION. In Articles 6447c-6447h  
9 [~~6447b-6447h~~], Revised Statutes, "commission" means the Railroad  
10 Commission of Texas.

11 SECTION 1.09. (a) The following sections of the Agriculture  
12 Code are repealed:

- 13 (1) Sections 12.013(d), (e), and (f);
- 14 (2) Section 12.014;
- 15 (3) Section 12.029;
- 16 (4) Section 131.005(b);
- 17 (5) Sections 161.031(d), (e), and (f);
- 18 (6) Section 161.032;
- 19 (7) Section 201.0191; and
- 20 (8) Section 201.023(b).

21 (b) The following sections of the Alcoholic Beverage Code  
22 are repealed:

- 23 (1) Section 5.09; and
- 24 (2) Sections 5.10(c) and (d).

25 (c) The following sections of the Education Code are  
26 repealed:

- 27 (1) Section 7.055(b)(8);

1 (2) Sections 61.028(f), (g), and (h);

2 (3) Section 61.069; and

3 (4) Section 86.52(m).

4 (d) The following sections of the Finance Code are repealed:

5 (1) Section 12.112;

6 (2) Section 13.014;

7 (3) Section 14.058;

8 (4) Section 15.104; and

9 (5) Section 15.313.

10 (e) The following provisions of the Government Code are  
11 repealed:

12 (1) Section 33.0045;

13 (2) Section 52.018;

14 (3) Section 82.0071;

15 (4) Chapter 320;

16 (5) Section 411.0075(d);

17 (6) Section 411.013(d);

18 (7) Section 413.005(g);

19 (8) Section 413.013;

20 (9) Sections 419.009(f), (g), and (h);

21 (10) Section 419.010;

22 (11) Sections 431.028(e), (f), and (g);

23 (12) Section 434.013(b);

24 (13) Section 435.0095;

25 (14) Section 435.012(c);

26 (15) Section 436.059;

27 (16) Sections 441.005(b), (c), and (d);

- 1 (17) Section 441.013(c);
- 2 (18) Sections 442.004(g), (h), (i), and (j);
- 3 (19) Section 442.010;
- 4 (20) Section 443.0051(c);
- 5 (21) Sections 443.0052(a) and (c);
- 6 (22) Section 443.0135(e);
- 7 (23) Sections 444.010(c), (d), and (e);
- 8 (24) Section 444.025(h);
- 9 (25) Section 465.011;
- 10 (26) Sections 465.013(c), (d), and (e);
- 11 (27) Sections 481.010(f), (g), and (h);
- 12 (28) Section 481.011;
- 13 (29) Section 487.028;
- 14 (30) Section 492.011;
- 15 (31) Sections 493.007(c) and (d);
- 16 (32) Sections 511.008(h), (i), and (j);
- 17 (33) Section 511.015;
- 18 (34) Sections 531.009(f) and (g);
- 19 (35) Section 531.029;
- 20 (36) Subchapter G, Chapter 531;
- 21 (37) Section 531.423(c);
- 22 (38) Sections 571.0302(a) and (c);
- 23 (39) Sections 751.006(d), (e), and (f);
- 24 (40) Chapter 782;
- 25 (41) Section 801.1111;
- 26 (42) Section 801.203(b);
- 27 (43) Sections 815.212(c), (d), and (e);

- 1 (44) Section 825.213;
- 2 (45) Section 1231.086(a);
- 3 (46) Section 1232.063;
- 4 (47) Section 1232.069;
- 5 (48) Section 2003.053;
- 6 (49) Section 2054.032;
- 7 (50) Section 2054.034(b); and
- 8 (51) Section 2152.063.

9 (f) The following sections of the Health and Safety Code are  
10 repealed:

- 11 (1) Section 93.006;
- 12 (2) Section 103.018;
- 13 (3) Section 113.008;
- 14 (4) Sections 771.035(b), (c), and (d); and
- 15 (5) Section 1001.031.

16 (g) The following sections of the Human Resources Code are  
17 repealed:

- 18 (1) Sections 40.032(e), (f), and (g);
- 19 (2) Section 61.0355;
- 20 (3) Section 117.031;
- 21 (4) Section 117.056;
- 22 (5) Sections 141.021(e) and (f);
- 23 (6) Section 141.024;
- 24 (7) Section 161.031; and
- 25 (8) Section 161.056.

26 (h) The following sections of the Insurance Code are  
27 repealed:



1 (1) Section 31.043; and

2 (2) Section 501.104.

3 (i) The following sections of the Labor Code are repealed:

4 (1) Section 301.045; and

5 (2) Section 402.044.

6 (j) The following sections of the Occupations Code are  
7 repealed:

8 (1) Section 51.108;

9 (2) Section 152.059;

10 (3) Section 153.055;

11 (4) Section 201.104;

12 (5) Section 202.104;

13 (6) Section 202.159;

14 (7) Section 203.104;

15 (8) Section 203.154(a);

16 (9) Section 205.105;

17 (10) Section 206.102;

18 (11) Section 301.108;

19 (12) Section 301.165;

20 (13) Section 351.108;

21 (14) Section 351.164;

22 (15) Section 451.107;

23 (16) Section 452.104;

24 (17) Section 453.109;

25 (18) Section 501.105;

26 (19) Section 501.159;

27 (20) Section 502.160;

- 1 (21) Section 505.208;
- 2 (22) Section 553.010;
- 3 (23) Section 554.013;
- 4 (24) Section 603.107;
- 5 (25) Section 605.105;
- 6 (26) Section 605.156;
- 7 (27) Section 651.107;
- 8 (28) Section 651.162;
- 9 (29) Section 701.106;
- 10 (30) Section 701.158;
- 11 (31) Sections 901.105(a) and (b);
- 12 (32) Section 901.164;
- 13 (33) Section 1001.155;
- 14 (34) Section 1001.156;
- 15 (35) Section 1002.106;
- 16 (36) Section 1051.156;
- 17 (37) Section 1071.106;
- 18 (38) Section 1101.106;
- 19 (39) Section 1151.075;
- 20 (40) Section 1301.205;
- 21 (41) Section 1701.106;
- 22 (42) Section 1701.158;
- 23 (43) Section 1702.046;
- 24 (44) Section 1702.069;
- 25 (45) Section 1703.106;
- 26 (46) Section 1951.157; and
- 27 (47) Section 2301.106.

1 (k) The following sections of the Parks and Wildlife Code  
2 are repealed:

3 (1) Section 11.022; and

4 (2) Section 12.021.

5 (l) The following sections of the Transportation Code are  
6 repealed:

7 (1) Section 201.107(b);

8 (2) Sections 201.402(a), (b), and (c); and

9 (3) Section 201.403(c).

10 (m) The following sections of the Utilities Code are  
11 repealed:

12 (1) Section 12.106;

13 (2) Section 13.045; and

14 (3) Section 13.063(a).

15 (n) The following sections of the Water Code are repealed:

16 (1) Section 5.1193;

17 (2) Section 5.178(d);

18 (3) Section 5.227;

19 (4) Section 6.156; and

20 (5) Section 6.188.

21 (o) Subsection J, Section 2, The Securities Act (Article  
22 581-2, Vernon's Texas Civil Statutes), is repealed.

23 (p) Section 2-7, The Securities Act (Article 581-2-7,  
24 Vernon's Texas Civil Statutes), is repealed.

25 (q) Sections 21A(c), (e), and (g), Texas Local Fire Fighters  
26 Retirement Act (Article 6243e, Vernon's Texas Civil Statutes), are  
27 repealed.

1 (r) Article 6447b, Revised Statutes, is repealed.

2 SECTION 1.10. Each state agency shall comply with Section  
3 21.5511, Labor Code, as added by this Act, not later than October 1,  
4 2007.

5 SECTION 1.11. This article takes effect September 1, 2007.

6 ARTICLE 2. REPEAL OF LAW RELATING TO TEXAS NATIONAL RESEARCH  
7 LABORATORY COMMISSION

8 SECTION 2.01. Section 51.604, Education Code, is amended to  
9 read as follows:

10 Sec. 51.604. USE OF FUND. The commissioner shall allocate  
11 the fund to eligible nonprofit organizations for the purpose of:

12 (1) establishing or operating educational programs to  
13 assist women or minority group members in preparing for or  
14 participating in programs leading to an undergraduate degree in  
15 engineering or science from an institution of higher education;

16 (2) disseminating information concerning:

17 (A) educational and career opportunities in  
18 engineering and science; and

19 (B) the fund and programs funded under this  
20 subchapter; and

21 (3) establishing or operating programs to assist women  
22 and minority group members in preparing for careers in  
23 superconductivity research, including:

24 (A) recruitment seminars and mentorship  
25 programs, in cooperation with [~~the Texas National Research~~  
26 ~~Laboratory Commission and~~] institutions of higher education that  
27 conduct superconductivity research;

1 (B) career exploration programs, in cooperation  
2 with public school districts; and

3 (C) career exploration programs, recruitment  
4 seminars, and mentorship programs, in cooperation with engineering  
5 and scientific research organizations.

6 SECTION 2.02. Section 65.33, Education Code, is amended to  
7 read as follows:

8 Sec. 65.33. EMINENT DOMAIN. (a) The board has the power of  
9 eminent domain to acquire for the use of the university system any  
10 land that may be necessary and proper for carrying out its purposes  
11 in the manner prescribed by Chapter 21, Property Code [~~in Title 52,~~  
12 ~~Revised Civil Statutes of Texas, 1925, as amended~~].

13 (b) Whenever the board has been made trustees by a will,  
14 instrument in writing, or otherwise of a trust for a scientific,  
15 educational, philanthropic, or charitable purpose, or other trust  
16 for a public purpose, it may act by a quorum of the board or a  
17 majority of all members. Unless otherwise directed by the terms of  
18 the will or instrument, as trustees the board may exercise for the  
19 purpose of the trust the power of eminent domain and may condemn  
20 land and other property as provided by Chapter 21, Property Code  
21 [~~Title 52, Revised Civil Statutes of Texas, 1925, as amended~~].

22 (c) [~~In the event that the federal government awards the~~  
23 ~~Super-conducting Super Collider Accelerator project to one or more~~  
24 ~~institutions of higher education in the State of Texas, one of which~~  
25 ~~is a component of The University of Texas System and/or The Texas A~~  
26 ~~& M University System, and the governor with the advice of the~~  
27 ~~Houston Area Research Center Board determines that the board of~~

1 ~~regents of The University of Texas System should select the site for~~  
2 ~~the construction of this project on permanent university fund~~  
3 ~~lands, the board shall use its best efforts to find a suitable site~~  
4 ~~on permanent university fund lands. If the board determines that it~~  
5 ~~is not feasible to locate the project wholly on permanent~~  
6 ~~university fund lands and the legislature has appropriated funds~~  
7 ~~for such purpose, the board may exercise the power of eminent domain~~  
8 ~~to acquire, on behalf of the state, title and right-of-way~~  
9 ~~easements in such land in addition to permanent university fund~~  
10 ~~lands as the board may determine is necessary and appropriate for~~  
11 ~~the project. If a component of both The University of Texas System~~  
12 ~~and The Texas A & M University System are members of the consortium~~  
13 ~~that is awarded the Super-conducting Super Collider Accelerator~~  
14 ~~project, the board of regents of The University of Texas System~~  
15 ~~shall not proceed to select a site and to exercise the power of~~  
16 ~~eminent domain without a resolution of concurrence from the board~~  
17 ~~of regents of The Texas A & M University System.~~

18       ~~[(d)]~~ The taking of the property is declared to be for the  
19 use of the state. The board is ~~[shall]~~ not ~~[be]~~ required to deposit  
20 a bond or the amount equal to the award of damages by the  
21 commissioners as provided by Section 21.021, Property Code ~~[in~~  
22 ~~Paragraph 2, Article 3268, Revised Civil Statutes of Texas, 1925]~~.

23       SECTION 2.03. Section 661.031(2), Government Code, is  
24 amended to read as follows:

25           (2) "State employee" means an individual who is an  
26 appointed officer or employee of a state agency and who normally  
27 works 900 hours or more a year. The term includes:

- 1 (A) an hourly employee;
- 2 (B) a temporary employee;
- 3 (C) a person employed by:
- 4 (i) the Teacher Retirement System of Texas;
- 5 (ii) the Texas Education Agency;
- 6 (iii) the Texas Higher Education
- 7 Coordinating Board;
- 8 (iv) [~~the Texas National Research~~
- 9 ~~Laboratory Commission;~~
- 10 [~~v~~] the Texas School for the Blind and
- 11 Visually Impaired;
- 12 (v) [~~vi~~] the Texas School for the Deaf;
- 13 (vi) [~~vii~~] the Texas Youth Commission;
- 14 (vii) [~~viii~~] the Windham School District;
- 15 or
- 16 (viii) [~~ix~~] the Department of Assistive
- 17 and Rehabilitative Services [~~Texas Rehabilitation Commission~~];
- 18 and
- 19 (D) a classified, administrative, faculty, or
- 20 professional employee of a state institution or agency of higher
- 21 education who has accumulated vacation leave, sick leave, or both,
- 22 during the employment.

23 SECTION 2.04. Section 661.061(2), Government Code, is

24 amended to read as follows:

25 (2) "State employee" means an employee or appointed

26 officer of a state agency. The term includes:

- 27 (A) a full-time employee or officer;

- 1 (B) a part-time employee or officer;  
2 (C) an hourly employee;  
3 (D) a temporary employee;  
4 (E) a person employed by:  
5 (i) the Teacher Retirement System of Texas;  
6 (ii) the Texas Education Agency;  
7 (iii) the Texas Higher Education  
8 Coordinating Board;  
9 (iv) ~~[the Texas National Research~~  
10 ~~Laboratory Commission];~~  
11 ~~[(v)]~~ the Texas School for the Blind and  
12 Visually Impaired;  
13 (v) ~~[(vi)]~~ the Texas School for the Deaf;  
14 (vi) ~~[(vii)]~~ the Texas Youth Commission;  
15 (vii) ~~[(viii)]~~ the Windham School  
16 District; or  
17 (viii) ~~[(ix)]~~ the Department of Assistive  
18 and Rehabilitative Services ~~[Texas Rehabilitation Commission];~~ or  
19 (F) a classified, administrative, faculty, or  
20 professional employee of a state institution or agency of higher  
21 education who has accumulated vacation leave during the employment.

22 SECTION 2.05. Section 1232.101, Government Code, is amended  
23 to read as follows:

24 Sec. 1232.101. ISSUANCE OF BONDS FOR CERTAIN STATE  
25 AGENCIES. With respect to all bonds authorized to be issued by the  
26 Texas Military Facilities Commission, ~~[Texas National Research~~  
27 ~~Laboratory Commission],~~ Parks and Wildlife Department, Texas



1 Low-Level Radioactive Waste Disposal Authority, Stephen F. Austin  
2 State University, Midwestern State University, and Texas Southern  
3 University, the authority has the exclusive authority to act on  
4 behalf of those entities in issuing bonds on their behalf. In  
5 connection with those issuances and with the issuance of refunding  
6 bonds on behalf of those entities, the authority is subject to all  
7 rights, duties, and conditions surrounding issuance previously  
8 applicable to the issuing entity under the statute authorizing the  
9 issuance. A reference in an authorizing statute to the entity on  
10 whose behalf the bonds are being issued applies equally to the  
11 authority in its capacity as issuer on behalf of the entity.

12 SECTION 2.06. Sections 2301.062 and 2301.064, Government  
13 Code, are amended to read as follows:

14 Sec. 2301.062. AGREEMENTS. A public entity or state agency  
15 may make agreements with and accept donations, grants, and loans  
16 from any person, including the United States, this state, a  
17 department or agency of this state, a public entity, and a public or  
18 private corporation, including any authority [~~and the Texas~~  
19 ~~National Research Laboratory Commission~~].

20 Sec. 2301.064. USE OF FUNDS. A public entity or state  
21 agency may:

22 (1) use its funds, including tax revenues, to plan,  
23 acquire, construct, own, operate, maintain, or enhance eligible  
24 projects, including, in the case of a public entity, eligible  
25 projects located outside the jurisdiction or boundaries of the  
26 public entity if the governing body of the public entity determines  
27 that the project will contribute to the development and

1 diversification of the economy, the elimination of unemployment or  
2 underemployment, or the development or expansion of commerce within  
3 the public entity;

4 (2) levy taxes to provide for payment of amounts  
5 required under agreements with any person, including the United  
6 States, the state, a department and agency of this state, a public  
7 entity, and a public or private corporation, including any  
8 authority [~~and the Texas National Research Laboratory Commission~~];  
9 and

10 (3) pledge tax revenue to the payment of agreements.

11 SECTION 2.07. Section 25.07(b), Tax Code, is amended to  
12 read as follows:

13 (b) Except as provided by Subsections (b) and (c) of Section  
14 11.11 of this code, a leasehold or other possessory interest in  
15 exempt property may not be listed if:

16 (1) the property is permanent university fund land;

17 (2) the property is county public school fund  
18 agricultural land;

19 (3) the property is a part of a public transportation  
20 facility owned by an incorporated city or town and:

21 (A) is an airport passenger terminal building or  
22 a building used primarily for maintenance of aircraft or other  
23 aircraft services, for aircraft equipment storage, or for air  
24 cargo;

25 (B) is an airport fueling system facility;

26 (C) is in a foreign-trade zone:

27 (i) that has been granted to a joint airport

1 board under Chapter 129, Acts of the 65th Legislature, Regular  
2 Session, 1977 (Article 1446.8, Vernon's Texas Civil Statutes);

3 (ii) the area of which in the portion of the  
4 zone located in the airport operated by the joint airport board does  
5 not exceed 2,500 acres; and

6 (iii) that is established and operating  
7 pursuant to federal law; or

8 (D)(i) is in a foreign trade zone established  
9 pursuant to federal law after June 1, 1991, which operates pursuant  
10 to federal law;

11 (ii) is contiguous to or has access via a  
12 taxiway to an airport located in two counties, one of which has a  
13 population of 500,000 or more according to the federal decennial  
14 census most recently preceding the establishment of the foreign  
15 trade zone; and

16 (iii) is owned, directly or through a  
17 corporation organized under the Development Corporation Act of 1979  
18 (Article 5190.6, Vernon's Texas Civil Statutes), by the same  
19 incorporated city or town which owns the airport;

20 (4) the interest is in a part of:

21 (A) a park, market, fairground, or similar public  
22 facility that is owned by an incorporated city or town; or

23 (B) a convention center, visitor center, sports  
24 facility with permanent seating, concert hall, arena, or stadium  
25 that is owned by an incorporated city or town as such leasehold or  
26 possessory interest serves a governmental, municipal, or public  
27 purpose or function when the facility is open to the public,

1 regardless of whether a fee is charged for admission;

2 (5) the interest involves only the right to use the  
3 property for grazing or other agricultural purposes; or

4 ~~(6) [the property is owned by the Texas National  
5 Research Laboratory Commission or by a corporation formed by the  
6 Texas National Research Laboratory Commission under Section  
7 465.008(g), Government Code, and is used or is useful in connection  
8 with an eligible undertaking as defined by Section 465.021,  
9 Government Code; or~~

10 [~~(7)~~] the property is:

11 (A) owned by a municipality, a public port, or a  
12 navigation district created or operating under Section 59, Article  
13 XVI, Texas Constitution, or under a statute enacted under Section  
14 59, Article XVI, Texas Constitution; and

15 (B) used as an aid or facility incidental to or  
16 useful in the operation or development of a port or waterway or in  
17 aid of navigation-related commerce.

18 SECTION 2.08. The following laws are repealed:

19 (1) Chapter 465, Government Code; and

20 (2) Sections 151.349 and 171.086, Tax Code.

21 ARTICLE 3. REPEAL OF LAW CREATING TEXAS DEEPWATER PORT AUTHORITY

22 SECTION 3.01. Chapter 19, Water Code, is repealed.

23 ARTICLE 4. REPEAL OF LAW AUTHORIZING CREATION OF THE OGALLALA WATER  
24 IMPORT AUTHORITY OF TEXAS

25 SECTION 4.01. Chapter 64, Water Code, is repealed.

26 ARTICLE 5. CONDEMNATION OF HISTORICAL SITES AT DIRECTION OF

27 COMMISSION OF CONTROL FOR TEXAS CENTENNIAL CELEBRATIONS

1 SECTION 5.01. Chapter 433, Acts of the 44th Legislature,  
2 2nd Called Session, 1935 (Article 3264c, Vernon's Texas Civil  
3 Statutes), is repealed.

4 ARTICLE 6. STATE AGENCY FLEET MANAGEMENT

5 SECTION 6.01. Chapter 403, Government Code, is amended by  
6 adding Subchapter O to read as follows:

7 SUBCHAPTER O. STATE AGENCY FLEET MANAGEMENT

8 Sec. 403.351. CENTRALIZED FLEET MANAGEMENT. (a) The  
9 comptroller shall devise and implement a statewide system of state  
10 agency vehicle fleet management, including the following  
11 functions:

12 (1) vehicle acquisition and maintenance and repair  
13 activities, including preventive maintenance;

14 (2) fueling operations;

15 (3) management of inventory and the use, collection,  
16 and reporting of data; and

17 (4) disposal or sale of excess inventory.

18 (b) The comptroller may negotiate a contract with a private  
19 fleet management provider:

20 (1) to operate one or all of the fleet management  
21 functions of the agency; or

22 (2) for fleet management data software and services,  
23 if the provider can demonstrate expertise necessary to perform the  
24 functions required by Subsection (a).

25 SECTION 6.02. The heading to Chapter 2171, Government Code,  
26 is amended to read as follows:

27 CHAPTER 2171. TRAVEL [~~AND VEHICLE FLEET~~] SERVICES

1 SECTION 6.03. Section 2171.001, Government Code, is amended  
2 to read as follows:

3 Sec. 2171.001. TRAVEL DIVISION. The travel division of the  
4 commission is [~~composed of~~] the central travel office [~~and the~~  
5 ~~office of vehicle fleet management~~].

6 SECTION 6.04. (a) In this section, "commission" means the  
7 Texas Building and Procurement Commission.

8 (b) On the effective date of this article:

9 (1) the office of vehicle fleet management of the  
10 commission is abolished;

11 (2) all functions and activities performed by the  
12 commission that relate to providing vehicle fleet services for  
13 state government are transferred to the comptroller;

14 (3) a rule or form adopted by the commission that  
15 relates to providing vehicle fleet services for state government is  
16 a rule or form of the comptroller and remains in effect until  
17 changed by the comptroller;

18 (4) all money, contracts, leases, rights, and  
19 obligations of the commission related to providing vehicle fleet  
20 services for state government are transferred to the comptroller;

21 (5) all property, including records, in the custody of  
22 the commission related to providing vehicle fleet services for  
23 state government becomes the property of the comptroller; and

24 (6) all funds appropriated by the legislature to the  
25 commission for purposes related to providing vehicle fleet services  
26 for state government are transferred to the comptroller.

27 SECTION 6.05. (a) Before December 1, 2007, the comptroller

1 shall establish a transition plan with each of the following  
2 agencies for the transfer of vehicles owned by the agency to the  
3 comptroller:

- 4 (1) Department of Assistive and Rehabilitative  
5 Services;
- 6 (2) Department of Family and Protective Services;
- 7 (3) Department of Aging and Disability Services;
- 8 (4) Department of State Health Services;
- 9 (5) Adjutant General's Department;
- 10 (6) Department of Agriculture;
- 11 (7) Department of Information Resources;
- 12 (8) General Land Office;
- 13 (9) Office of the Attorney General;
- 14 (10) Secretary of State;
- 15 (11) State Soil and Water Conservation Board;
- 16 (12) Texas Alcoholic Beverage Commission;
- 17 (13) Texas Animal Health Commission;
- 18 (14) Texas State Board of Pharmacy;
- 19 (15) Texas Commission on Environmental Quality;
- 20 (16) Texas Commission on Fire Protection;
- 21 (17) Texas Department of Insurance;
- 22 (18) Texas Department of Licensing and Regulation;
- 23 (19) Texas Education Agency;
- 24 (20) Texas Historical Commission;
- 25 (21) Texas Juvenile Probation Commission;
- 26 (22) Texas Lottery Commission;
- 27 (23) Railroad Commission of Texas;

- 1           (24) Texas School for the Blind and Visually Impaired;
- 2           (25) Texas School for the Deaf;
- 3           (26) Texas State Board of Plumbing Examiners;
- 4           (27) Texas State Library and Archives Commission;
- 5           (28) Texas Water Development Board;
- 6           (29) Texas Workforce Commission;
- 7           (30) Texas Youth Commission;
- 8           (31) Texas Department of Transportation;
- 9           (32) Department of Public Safety;
- 10          (33) Texas Department of Criminal Justice;
- 11          (34) Parks and Wildlife Department;
- 12          (35) Health and Human Services Commission; and
- 13          (36) Texas Building and Procurement Commission.

14           (b) On the date established by the plan in Subsection (a) of  
15 this section, a state agency shall transfer ownership, possession,  
16 and control of its vehicles to the comptroller.

17           SECTION 6.06. Subchapter C, Chapter 2171, Government Code,  
18 is repealed.

19           SECTION 6.07. This article takes effect September 1, 2007.

20                           ARTICLE 7. EFFECTIVE DATE

21           SECTION 7.01. Except as otherwise provided by this Act,  
22 this Act takes effect immediately if it receives a vote of  
23 two-thirds of all the members elected to each house, as provided by  
24 Section 39, Article III, Texas Constitution. If this Act does not  
25 receive the vote necessary for immediate effect, this Act takes  
26 effect September 1, 2007.