

1-1 By: Truitt, et al. (Senate Sponsor - Brimer) H.B. No. 3249
1-2 (In the Senate - Received from the House April 27, 2007;
1-3 May 1, 2007, read first time and referred to Committee on
1-4 Administration; May 14, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 May 14, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3249 By: Brimer

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

1-10 relating to the entities reviewed by the Sunset Advisory
1-11 Commission.

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

1-13 ARTICLE 1. ENTITIES GIVEN 2009 SUNSET DATE

1-14 SECTION 1.01. DEPARTMENT OF AGRICULTURE. Section 11.003,
1-15 Agriculture Code, is amended to read as follows:

1-16 Sec. 11.003. SUNSET PROVISION. The Department of
1-17 Agriculture is subject to Chapter 325, Government Code (Texas
1-18 Sunset Act). Unless continued in existence as provided by that
1-19 chapter, the department is abolished September 1, 2009 [~~2011~~].

1-20 SECTION 1.02. TEXAS-ISRAEL EXCHANGE FUND BOARD. Section
1-21 45.006(i), Agriculture Code, is amended to read as follows:

1-22 (i) The Texas-Israel Exchange Fund Board [~~board~~] is subject
1-23 to Chapter 325, Government Code (Texas Sunset Act). Unless
1-24 continued in existence as provided by that chapter, the board is
1-25 abolished and this chapter expires September 1, 2009 [~~2011~~].

1-26 SECTION 1.03. BOARD OF DIRECTORS OF THE OFFICIAL COTTON
1-27 GROWERS' BOLL WEEVIL ERADICATION FOUNDATION. Section 74.127(a),
1-28 Agriculture Code, is amended to read as follows:

1-29 (a) The board of directors of the official cotton growers'
1-30 boll weevil eradication foundation is subject to Chapter 325,
1-31 Government Code (Texas Sunset Act). Unless continued in existence
1-32 as provided by that chapter, the board is abolished and this
1-33 subchapter expires September 1, 2009 [~~2011~~].

1-34 SECTION 1.04. PRESCRIBED BURNING BOARD. Section 153.044,
1-35 Natural Resources Code, is amended to read as follows:

1-36 Sec. 153.044. SUNSET PROVISION. The Prescribed Burning
1-37 Board is subject to Chapter 325, Government Code (Texas Sunset
1-38 Act). Unless continued in existence as provided by that chapter,
1-39 the board is abolished and this chapter expires September 1, 2009
1-40 [~~2011~~].

1-41 SECTION 1.05. PARKS AND WILDLIFE DEPARTMENT. Section
1-42 11.0111, Parks and Wildlife Code, is amended to read as follows:

1-43 Sec. 11.0111. SUNSET PROVISION. The Parks and Wildlife
1-44 Department is subject to Chapter 325, Government Code (Texas Sunset
1-45 Act). Unless continued in existence as provided by that chapter,
1-46 the department is abolished September 1, 2009 [~~2013~~].

1-47 ARTICLE 2. ENTITIES GIVEN 2011 SUNSET DATE

1-48 SECTION 2.01. HEALTH AND HUMAN SERVICES COMMISSION.
1-49 Section 531.004, Government Code, is amended to read as follows:

1-50 Sec. 531.004. SUNSET PROVISION. The Health and Human
1-51 Services Commission is subject to Chapter 325 (Texas Sunset Act).
1-52 Unless continued in existence as provided by that chapter, the
1-53 commission is abolished and this chapter expires September 1, 2011
1-54 [~~2009~~].

1-55 SECTION 2.02. TEXAS CANCER COUNCIL. Section 102.003, Health
1-56 and Safety Code, is amended to read as follows:

1-57 Sec. 102.003. SUNSET PROVISION. The Texas Cancer Council
1-58 is subject to Chapter 325, Government Code (Texas Sunset Act).
1-59 Unless continued in existence as provided by that chapter, the
1-60 council is abolished and this chapter expires September 1, 2011
1-61 [~~2009~~].

1-62 SECTION 2.03. DEPARTMENT OF STATE HEALTH SERVICES. Section
1-63 1001.003, Health and Safety Code, is amended to read as follows:

2-1 Sec. 1001.003. SUNSET PROVISION. The Department of State
2-2 Health Services [~~department~~] is subject to Chapter 325, Government
2-3 Code (Texas Sunset Act). Unless continued in existence as provided
2-4 by that chapter, the department is abolished and this chapter
2-5 expires September 1, 2011 [~~2009~~].

2-6 SECTION 2.04. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES.
2-7 Section 40.003, Human Resources Code, is amended to read as
2-8 follows:

2-9 Sec. 40.003. SUNSET PROVISION. The Department of Family
2-10 and Protective Services is subject to Chapter 325, Government Code
2-11 (Texas Sunset Act). Unless continued in existence as provided by
2-12 that chapter, the department is abolished and this chapter expires
2-13 September 1, 2011 [~~2009~~].

2-14 SECTION 2.05. TEXAS COUNCIL FOR DEVELOPMENTAL
2-15 DISABILITIES. Section 112.023, Human Resources Code, is amended to
2-16 read as follows:

2-17 Sec. 112.023. SUNSET PROVISION. The Texas Council for
2-18 Developmental Disabilities is subject to Chapter 325, Government
2-19 Code (Texas Sunset Act). Unless continued in existence as provided
2-20 by that chapter, the council is abolished and this chapter expires
2-21 September 1, 2011 [~~2009~~].

2-22 SECTION 2.06. GOVERNOR'S COMMITTEE ON PEOPLE WITH
2-23 DISABILITIES. Section 115.005, Human Resources Code, is amended to
2-24 read as follows:

2-25 Sec. 115.005. SUNSET PROVISION. The Governor's Committee
2-26 on People with Disabilities is subject to Chapter 325, Government
2-27 Code (Texas Sunset Act). Unless continued in existence as provided
2-28 by that chapter, the committee is abolished and this chapter
2-29 expires September 1, 2011 [~~2009~~].

2-30 SECTION 2.07. DEPARTMENT OF ASSISTIVE AND REHABILITATIVE
2-31 SERVICES. Section 117.003, Human Resources Code, is amended to
2-32 read as follows:

2-33 Sec. 117.003. SUNSET PROVISION. The Department of
2-34 Assistive and Rehabilitative Services [~~department~~] is subject to
2-35 Chapter 325, Government Code (Texas Sunset Act). Unless continued
2-36 in existence as provided by that chapter, the department is
2-37 abolished and this chapter expires September 1, 2011 [~~2009~~].

2-38 SECTION 2.08. DEPARTMENT OF AGING AND DISABILITY SERVICES.
2-39 Section 161.003, Human Resources Code, is amended to read as
2-40 follows:

2-41 Sec. 161.003. SUNSET PROVISION. The Department of Aging
2-42 and Disability Services [~~department~~] is subject to Chapter 325,
2-43 Government Code (Texas Sunset Act). Unless continued in existence
2-44 as provided by that chapter, the department is abolished and this
2-45 chapter expires September 1, 2011 [~~2009~~].

2-46 SECTION 2.09. TEXAS DEPARTMENT OF INSURANCE AND DIVISION OF
2-47 WORKERS' COMPENSATION. Section 31.004, Insurance Code, is amended
2-48 to read as follows:

2-49 Sec. 31.004. SUNSET PROVISION. (a) The Texas Department of
2-50 Insurance is subject to Chapter 325, Government Code (Texas Sunset
2-51 Act). Unless continued in existence as provided by that chapter,
2-52 the department is abolished September 1, 2011 [~~2009~~].

2-53 (b) Unless continued as provided by Chapter 325, Government
2-54 Code, the duties of the division of workers' compensation of the
2-55 Texas Department of Insurance under Title 5, Labor Code, expire
2-56 September 1, 2011 [~~2009~~], or another date designated by the
2-57 legislature.

2-58 SECTION 2.10. OFFICE OF PUBLIC INSURANCE COUNSEL. Section
2-59 501.003, Insurance Code, is amended to read as follows:

2-60 Sec. 501.003. SUNSET PROVISION. The office of public
2-61 insurance counsel is subject to Chapter 325, Government Code (Texas
2-62 Sunset Act). Unless continued in existence as provided by that
2-63 chapter, the office is abolished September 1, 2011 [~~2009~~].

2-64 SECTION 2.11. OFFICE OF INJURED EMPLOYEE COUNSEL. Section
2-65 404.003, Labor Code, is amended to read as follows:

2-66 Sec. 404.003. SUNSET PROVISION. The office of injured
2-67 employee counsel is subject to Chapter 325, Government Code (Texas
2-68 Sunset Act). Unless continued in existence as provided by that
2-69 chapter, the office is abolished and this chapter expires September

3-1 1, 2011 [~~2009~~].

3-2 ARTICLE 3. ENTITIES GIVEN 2013 SUNSET DATE

3-3 SECTION 3.01. STATE PRESERVATION BOARD. Section 443.002,

3-4 Government Code, is amended to read as follows:

3-5 Sec. 443.002. SUNSET PROVISION. The State Preservation

3-6 Board is subject to Chapter 325 (Texas Sunset Act). Unless

3-7 continued in existence as provided by that chapter, the board is

3-8 abolished and this chapter expires September 1, 2013 [~~2011~~].

3-9 SECTION 3.02. TEXAS WORKFORCE COMMISSION. Section 301.008,

3-10 Labor Code, is amended to read as follows:

3-11 Sec. 301.008. APPLICATION OF SUNSET ACT. The Texas

3-12 Workforce Commission is subject to Chapter 325, Government Code

3-13 (Texas Sunset Act). Unless continued in existence as provided by

3-14 that chapter, the commission is abolished September 1, 2013 [~~2009~~].

3-15 SECTION 3.03. STATE BOARD OF EXAMINERS FOR SPEECH-LANGUAGE

3-16 PATHOLOGY AND AUDIOLOGY. Section 401.002, Occupations Code, is

3-17 amended to read as follows:

3-18 Sec. 401.002. APPLICATION OF SUNSET ACT. The State Board

3-19 of Examiners for Speech-Language Pathology and Audiology is subject

3-20 to Chapter 325, Government Code (Texas Sunset Act). Unless

3-21 continued in existence as provided by that chapter, the board is

3-22 abolished and this chapter expires September 1, 2013 [~~2009~~].

3-23 SECTION 3.04. STATE COMMITTEE OF EXAMINERS IN THE FITTING

3-24 AND DISPENSING OF HEARING INSTRUMENTS. Section 402.002,

3-25 Occupations Code, is amended to read as follows:

3-26 Sec. 402.002. APPLICATION OF SUNSET ACT. The State

3-27 Committee of Examiners in the Fitting and Dispensing of Hearing

3-28 Instruments is subject to Chapter 325, Government Code (Texas

3-29 Sunset Act). Unless continued in existence as provided by that

3-30 chapter, the committee is abolished and this chapter expires

3-31 September 1, 2013 [~~2009~~].

3-32 SECTION 3.05. EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND

3-33 OCCUPATIONAL THERAPY EXAMINERS. Section 452.002, Occupations

3-34 Code, is amended to read as follows:

3-35 Sec. 452.002. APPLICATION OF SUNSET ACT. The Executive

3-36 Council of Physical Therapy and Occupational Therapy Examiners is

3-37 subject to Chapter 325, Government Code (Texas Sunset Act). Unless

3-38 continued in existence as provided by that chapter, the executive

3-39 council is abolished and the following laws expire September 1,

3-40 2013 [~~2009~~]:

3-41 (1) this chapter;

3-42 (2) Chapter 453; and

3-43 (3) Chapter 454.

3-44 SECTION 3.06. TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS.

3-45 Section 453.002, Occupations Code, is amended to read as follows:

3-46 Sec. 453.002. APPLICATION OF SUNSET ACT. The Texas Board

3-47 of Physical Therapy Examiners is subject to Chapter 325, Government

3-48 Code (Texas Sunset Act). Unless continued in existence as provided

3-49 by that chapter, the board is abolished and this chapter expires

3-50 September 1, 2013 [~~2009~~].

3-51 SECTION 3.07. TEXAS BOARD OF OCCUPATIONAL THERAPY

3-52 EXAMINERS. Section 454.003, Occupations Code, is amended to read

3-53 as follows:

3-54 Sec. 454.003. APPLICATION OF SUNSET ACT. The Texas Board

3-55 of Occupational Therapy Examiners is subject to Chapter 325,

3-56 Government Code (Texas Sunset Act). Unless continued in existence

3-57 as provided by that chapter, the board is abolished and this chapter

3-58 expires September 1, 2013 [~~2009~~].

3-59 SECTION 3.08. TEXAS BOARD OF ORTHOTICS AND PROSTHETICS.

3-60 Section 605.003, Occupations Code, is amended to read as follows:

3-61 Sec. 605.003. APPLICATION OF SUNSET ACT. The Texas Board

3-62 of Orthotics and Prosthetics is subject to Chapter 325, Government

3-63 Code (Texas Sunset Act). Unless continued in existence as provided

3-64 by that chapter, the board is abolished and this chapter expires

3-65 September 1, 2013 [~~2009~~].

3-66 SECTION 3.09. SELF-DIRECTED SEMI-INDEPENDENT AGENCY

3-67 PROJECT. Section 4(c), Self-Directed Semi-Independent Agency

3-68 Project Act (Article 8930, Revised Statutes), is amended to read as

3-69 follows:

4-1 (c) This Act is subject to Chapter 325, Government Code
4-2 (Texas Sunset Act). Unless continued in existence as provided by
4-3 that chapter, this Act expires September 1, 2013 [~~2009~~].

4-4 ARTICLE 4. ENTITY REMOVED FROM SPECIFIC SUNSET REVIEW

4-5 SECTION 4.01. REPEALER. Section 435.003, Government Code
4-6 (Texas Military Facilities Commission sunset provision), is
4-7 repealed.

4-8 ARTICLE 5. SPECIAL PURPOSE REVIEW

4-9 SECTION 5.01. TEXAS MEDICAL BOARD. The Sunset Advisory
4-10 Commission shall conduct a special purpose review of the Texas
4-11 Medical Board as part of the commission's review of agencies for the
4-12 81st Legislature. The commission's report to the 81st Legislature
4-13 regarding the review of the Texas Medical Board must include:

4-14 (1) an evaluation of the board's management efforts to
4-15 comply with legislative direction and performance measure targets;
4-16 and

4-17 (2) any recommendations the commission considers
4-18 appropriate based on the review of the board.

4-19 ARTICLE 6. EFFECTIVE DATE

4-20 SECTION 6.01. EFFECTIVE DATE. This Act takes effect
4-21 immediately if it receives a vote of two-thirds of all the members
4-22 elected to each house, as provided by Section 39, Article III, Texas
4-23 Constitution. If this Act does not receive the vote necessary for
4-24 immediate effect, this Act takes effect September 1, 2007.

4-25 * * * * *