

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

ARTICLE 1. CHANGES TO TEXAS SUNSET ACT

No equivalent provision.

SECTION 1.01. Sections 325.003(a), (b), (d), (e), and (j), Government Code, are amended to read as follows:

No equivalent provision.

(a) The Sunset Advisory Commission consists of five members of the senate and one public member appointed by the lieutenant governor and five members of the house of representatives and one public member appointed by the speaker of the house. The lieutenant governor and the speaker of the house ~~Each appointing authority~~ may serve ~~designate himself~~ as one of the legislative appointees.

(b) An individual is not eligible for appointment as a public member if the individual or the individual's spouse is:

(1) regulated by a state agency that the commission will review during the term for which the individual would serve; ~~or~~

(2) employed by, participates in the management of, or directly or indirectly has more than a 10 percent interest in a business entity or other organization regulated by a state agency the commission will review during the term for which the individual would serve; or

(3) required to register as a lobbyist under Chapter 305 because of the person's activities for compensation on behalf of a profession or entity related to the operation of an agency under review.

(d) Legislative members serve four-year terms, with terms staggered so that the terms of as near to one-half of

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

the legislative members appointed by the lieutenant governor as possible and the terms of as near to one-half of the legislative members appointed by the speaker as possible expire September 1 of each odd-numbered year. If the lieutenant governor or the speaker serves on the commission, service ~~[he]~~ continues ~~[to serve]~~ until resignation from the commission or until the individual ~~[he]~~ ceases to hold the office. Public members serve two-year terms expiring September 1 of each odd-numbered year.

(e) Members other than the lieutenant governor and the speaker are subject to the following restrictions:

(1) after an individual serves six years on the commission, the individual is not eligible for appointment to another term or part of a term;

(2) a legislative member who serves ~~[more than half of]~~ a full term may not be appointed to an immediately succeeding term; and

(3) a public member may not serve more than two consecutive terms, and, for purposes of this prohibition, a member is considered to have served a term only if the member has served more than half of the term.

(j) Seven members of the commission constitute a quorum. A final action or recommendation may not be made unless approved by a record vote of a majority of the commission's full membership. All other actions by the commission shall be decided by a majority of the members present and voting.

SENATE VERSION

CONFERENCE

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1.02. Section 325.007, Government Code, is amended to read as follows:

Sec. 325.007. AGENCY REPORT TO COMMISSION. Before September 1 [~~October 30~~] of the odd-numbered year before the year in which a state agency subject to this chapter is abolished, the agency shall report to the commission:

- (1) information regarding the application to the agency of the criteria in Section 325.011; and
- (2) any other information that the agency considers appropriate or that is requested by the commission.

SECTION 1.03. Section 325.008(a), Government Code, is amended to read as follows:

(a) Before January [~~September~~] 1 of [~~the even-numbered year before~~] the year in which a state agency subject to this chapter and its advisory committees are abolished, the commission shall:

- (1) review and take action necessary to verify the reports submitted by the agency under Section 325.007;
- (2) consult the Legislative Budget Board, the Governor's Budget, Policy, and Planning Division [~~Office~~], the State Auditor, and the comptroller of public accounts, or their successors, on the application to the agency of the criteria provided in Section 325.011;
- (3) conduct a review [~~performance evaluation~~] of the agency based on the criteria provided in Section 325.011 and prepare a written report; and
- (4) review the implementation of commission

SENATE VERSION

No equivalent provision.

No equivalent provision.

CONFERENCE

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

recommendations contained in the reports presented to the legislature during the preceding legislative session and the resulting legislation.

SECTION 1.04. Section 325.009, Government Code, is amended to read as follows:

Sec. 325.009. PUBLIC HEARINGS AND DECISIONS.

(a) Before January [~~Between September 1 and December~~] 1 of [~~the calendar year before~~] the year a state agency subject to this chapter and its advisory committees are abolished, the commission shall conduct public hearings concerning but not limited to the application to the agency of the criteria provided in Section 325.011.

(b) The commission may hold the public hearings after [~~before September 1 if~~] the review [~~evaluation~~] of the agency required by Section 325.008(a)(3) is complete and available to the public.

(c) The commission shall complete its decision on an agency before February 1 of the year of the agency's abolition.

No equivalent provision.

SECTION 1.05. Section 325.010, Government Code, is amended to read as follows:

Sec. 325.010. COMMISSION REPORT. (a) At each regular legislative session, the commission shall present to the legislature and the governor a report on the agencies and advisory committees reviewed [~~scheduled~~

No equivalent provision.

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

~~to be abolished~~].

(b) In the report the commission shall include:

- (1) its ~~specific~~ findings regarding ~~each of~~ the criteria prescribed by Section 325.011;
- (2) its recommendations based on the matters prescribed by Section 325.012; and
- (3) other information the commission considers necessary for a complete review ~~[evaluation]~~ of the agency.

SECTION 1.06. Section 325.011, Government Code, is amended to read as follows:

Sec. 325.011. **CRITERIA FOR REVIEW.** The commission and its staff shall consider the following criteria in determining whether a public need exists for the continuation of a state agency or its advisory committees or for the performance of the functions of the agency or its advisory committees:

- (1) the efficiency and effectiveness with which the agency, its policy body, or the advisory committee operates;
- (2)(A) an identification of the mission, goals, and objectives intended for the agency or advisory committee and of the problem or need that the agency or advisory committee was intended to address; and
(B) ~~[;]~~ the extent to which the mission, goals, and objectives have been achieved and the problem or need has been addressed;
- (3)(A) an identification of~~[, and]~~ any activities of the

No equivalent provision.

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

agency in addition to those granted by statute and of the authority for those [~~these~~] activities; and
(B) the extent to which those activities are needed;
(4) [~~(3)~~] an assessment of authority of the agency relating to fees, inspections, enforcement, and penalties;
(5) whether less restrictive or alternative methods of performing any function [~~regulation~~] that the agency performs [~~that~~] could adequately protect or provide service to the public;
(6) [~~(4)~~] ~~the extent to which the advisory committee is needed and is used;~~
[~~(5)~~] the extent to which the jurisdiction of the agency and the programs administered by the agency overlap or duplicate those of other agencies, the extent to which the agency coordinates with those agencies, and the extent to which the programs administered by the agency can be consolidated with the programs of other state agencies;
(7) [~~(6)~~] ~~whether the agency has recommended to the legislature statutory changes calculated to be of benefit to the public rather than to an occupation, business, or institution that the agency regulates;~~
[~~(7)~~] the promptness and effectiveness with which the agency addresses [~~disposes of~~] complaints concerning entities or other persons affected by the agency, including an assessment of the agency's administrative hearings process;
(8) an assessment of the agency's rulemaking process and the extent to which the agency has encouraged participation by the public in making its rules and decisions [~~as opposed to participation solely by those it~~

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

~~regulates]~~ and the extent to which the public participation has resulted in rules that benefit the public ~~[compatible with the objectives of the agency];~~
(9) the extent to which the agency has complied with ~~[applicable requirements of]:~~
(A) federal and state laws and applicable rules ~~[an agency of the United States or of this state]~~ regarding equality of employment opportunity and the rights and privacy of individuals; and
(B) state law and applicable rules of any state agency regarding purchasing guidelines ~~[goals]~~ and programs for historically underutilized businesses;
(10) ~~[the extent to which changes are necessary in the enabling statutes of the agency so that the agency can adequately comply with the criteria listed in this section;~~
~~[(11)]~~ the extent to which the agency issues and enforces rules relating to potential conflicts of interest of its employees;
~~(11) [(12)]~~ the extent to which the agency complies with Chapters 551 and 552 and follows records management practices that enable the agency to respond efficiently to requests for public information; and
~~(12) [(13)]~~ the effect of federal intervention or loss of federal funds if the agency is abolished.

SECTION 1.07. Section 325.012, Government Code, is amended to read as follows:
Sec. 325.012. RECOMMENDATIONS. (a) In its report on a state agency, the commission shall:

SENATE VERSION

No equivalent provision.

CONFERENCE

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

- (1) make recommendations on the abolition, continuation, or reorganization of each affected state agency and its advisory committees and on the need for the performance of the functions of the agency and its advisory committees;
- (2) make recommendations on the consolidation, transfer, or reorganization of programs within state agencies not under review when the programs duplicate functions performed in agencies under review; and
- (3) make recommendations to improve the operations of the agency, its policy body, and its advisory committees, including management recommendations that do not require a change in the agency's enabling statute.
- (b) The commission shall include the estimated fiscal impact of its recommendations and may recommend appropriation levels for certain programs to improve the operations of the state agency.
- (c) The commission shall have [recommend appropriation levels for each state agency and advisory committee for which abolition or reorganization is recommended under Subdivision (1) or (2); and
- [(4) include] drafts of legislation prepared [necessary] to carry out the commission's recommendations under this section [Subdivisions (1) and (2)].
- (d) After the legislature acts on the report [(b) On the date the commission presents its report to the legislature] under Section 325.010, the commission shall present to the state auditor the commission's recommendations that do not require a statutory change to be put into effect. Based on a risk assessment and subject to the legislative

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

audit committee's approval of including the examination in the audit plan under Section 321.013, the state auditor may examine the recommendations and include as part of the next approved audit of the agency a report on whether the agency has implemented the recommendations and, if so, in what manner.

SECTION 1.08. Section 325.0125, Government Code, is amended to read as follows:

Sec. 325.0125. REVIEW OF CERTAIN AGENCIES.

(a) In the two-year period preceding the date scheduled for the abolition of a state agency under this chapter, the commission may exempt certain agencies from the requirements of this chapter relating to staff reports, hearings, and reviews ~~[evaluations]~~.

(b) The commission may only exempt agencies that have been inactive for a period of two years preceding the date the agency is scheduled for abolition or that have been rendered inactive by an action of the legislature.

(c) The commission's action in exempting agencies under this section must be done by an affirmative record vote and must be decided by a majority vote as provided by Section 325.003(j) ~~[of all members of the commission]~~.

SECTION 1.09. The heading to Section 325.016, Government Code, is amended to read as follows:

No equivalent provision.

No equivalent provision.

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

Sec. 325.016. SUNSET LEGISLATION
~~[LEGISLATIVE CONSIDERATION]~~.

SECTION 1.10. Section 325.016, Government Code, is amended by amending Subsections (a) and (c) and adding Subsection (d) to read as follows:

(a) Except as provided by Subsections (b) and (d), ~~Subsection (b)~~ the legislature may not consider in one bill the continuation, transfer, or modification of more than one state agency and the agency's functions and advisory committees.

(c) A bill to continue a state agency, to transfer its functions, or to consolidate it with another agency must mention the affected agencies in the caption ~~[title]~~ of the bill.

(d) The legislature may consider the continuation of more than one agency in a single bill for the purpose of adjusting the commission's review schedule.

No equivalent provision.

SECTION 1.11. Section 325.017(e), Government Code, is amended to read as follows:

(e) Unless the governor designates an appropriate state agency as prescribed by Subsection (f), property and records in the custody of an abolished state agency or advisory committee on September 1 of the even-numbered year after abolishment shall be transferred to the Texas Building and Procurement ~~[State Purchasing and General Services]~~ Commission. If the governor

No equivalent provision.

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

designates an appropriate state agency, the property and records shall be transferred to the designated state agency.

SECTION 1.12. Section 325.020, Government Code, is amended to read as follows:

Sec. 325.020. RELOCATION OF EMPLOYEES. If an employee is displaced because a state agency or its advisory committee is abolished, reorganized, or continued, the state agency and the Texas Workforce ~~Employment~~ Commission shall make a reasonable effort to relocate the displaced employee.

No equivalent provision.

SECTION 1.13. Section 325.022, Government Code, is amended to read as follows:

Sec. 325.022. REVIEW OF PROPOSED LEGISLATION CREATING AN ~~[REGULATORY]~~ AGENCY. (a) Each bill filed in a house of the legislature that would create a new state agency ~~[having regulatory authority]~~ or a new advisory committee to a state agency ~~[having regulatory authority]~~ shall be reviewed by ~~[forwarded to]~~ the commission.

(b) The commission shall review the bill to determine if:
(1) the proposed ~~[regulatory and other]~~ functions of the agency or committee could be administered by one or more existing state agencies or advisory committees;
(2) the form of regulation, if any, proposed by the bill is the least restrictive form of regulation that will

No equivalent provision.

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

adequately protect the public;

(3) the bill provides for adequate public input regarding any regulatory function proposed by the bill; and

(4) the bill provides for adequate protection against conflicts of interest within the agency or committee.

(c) On request [~~After reviewing the bill~~], the commission shall forward a written comment on the legislation to the author of the bill and to the presiding officer of the committee to which the bill is referred.

ARTICLE 2. **ENTITY** GIVEN **2011** SUNSET DATE

No equivalent provision.

No equivalent provision.

ARTICLE 1. **ENTITIES** GIVEN **2009** SUNSET DATE

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

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

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

(i) The Texas-Israel Exchange Fund Board [~~board~~] is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

chapter, the board is abolished and this chapter expires September 1, 2009 [~~2011~~].

No equivalent provision.

SECTION 1.03. BOARD OF DIRECTORS OF THE OFFICIAL COTTON GROWERS' BOLL WEEVIL ERADICATION FOUNDATION. Section 74.127(a), Agriculture Code, is amended to read as follows:
(a) The board of directors of the official cotton growers' boll weevil eradication foundation is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this subchapter expires September 1, 2009 [~~2011~~].

No equivalent provision.

SECTION 1.04. PRESCRIBED BURNING BOARD. Section 153.044, Natural Resources Code, is amended to read as follows:
Sec. 153.044. SUNSET PROVISION. The Prescribed Burning Board is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2009 [~~2011~~].

SECTION 2.01. PARKS AND WILDLIFE DEPARTMENT. Section 11.0111, Parks and Wildlife Code, is amended to read as follows:
Sec. 11.0111. SUNSET PROVISION. The Parks and

SECTION 1.05. PARKS AND WILDLIFE DEPARTMENT. Section 11.0111, Parks and Wildlife Code, is amended to read as follows:
Sec. 11.0111. SUNSET PROVISION. The Parks and

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

Wildlife Department is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished September 1, 2011 [~~2013~~].

ARTICLE 3. **ENTITY** GIVEN 2011 SUNSET DATE

SECTION 3.01. TEXAS STATE AFFORDABLE HOUSING CORPORATION. Section 2306.5521, Government Code, is amended to read as follows:
Sec. 2306.5521. SUNSET PROVISION. The Texas State Affordable Housing Corporation is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the corporation is abolished and this subchapter expires September 1, 2011 [~~2009~~].

No equivalent provision.

SENATE VERSION

Wildlife Department is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished September 1, 2009 [~~2013~~].

ARTICLE 2. **ENTITIES** GIVEN 2011 SUNSET DATE

No equivalent provision.

SECTION 2.01. HEALTH AND HUMAN SERVICES COMMISSION. Section 531.004, Government Code, is amended to read as follows:
Sec. 531.004. SUNSET PROVISION. The Health and Human Services Commission is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this chapter expires September 1, 2011 [~~2009~~].

CONFERENCE

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

No equivalent provision.

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

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

No equivalent provision.

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

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

No equivalent provision.

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

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

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

No equivalent provision.

SECTION 2.05. TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES. Section 112.023, Human Resources Code, is amended to read as follows:
Sec. 112.023. SUNSET PROVISION. The Texas Council for Developmental Disabilities is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the council is abolished and this chapter expires September 1, 2011 [2009].

No equivalent provision.

SECTION 2.06. GOVERNOR'S COMMITTEE ON PEOPLE WITH DISABILITIES. Section 115.005, Human Resources Code, is amended to read as follows:
Sec. 115.005. SUNSET PROVISION. The Governor's Committee on People with Disabilities is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the committee is abolished and this chapter expires September 1, 2011 [2009].

No equivalent provision.

SECTION 2.07. DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES. Section 117.003, Human Resources Code, is amended to read as follows:
Sec. 117.003. SUNSET PROVISION. The Department of Assistive and Rehabilitative Services [~~department~~] is subject to Chapter 325, Government Code (Texas Sunset

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

Act). Unless continued in existence as provided by that chapter, the department is abolished and this chapter expires September 1, 2011 [~~2009~~].

No equivalent provision.

SECTION 2.08. DEPARTMENT OF AGING AND DISABILITY SERVICES. Section 161.003, Human Resources Code, is amended to read as follows:
Sec. 161.003. SUNSET PROVISION. The Department of Aging and Disability Services [~~department~~] is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished and this chapter expires September 1, 2011 [~~2009~~].

No equivalent provision.

SECTION 2.09. TEXAS DEPARTMENT OF INSURANCE AND DIVISION OF WORKERS' COMPENSATION. Section 31.004, Insurance Code, is amended to read as follows:
Sec. 31.004. SUNSET PROVISION. (a) The Texas Department of Insurance is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished September 1, 2011 [~~2009~~].
(b) Unless continued as provided by Chapter 325, Government Code, the duties of the division of workers' compensation of the Texas Department of Insurance under Title 5, Labor Code, expire September 1, 2011 [~~2009~~], or another date designated by the legislature.

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

No equivalent provision.

ARTICLE 4. ENTITY GIVEN 2013 SUNSET DATE

SECTION 4.01. TEXAS COUNCIL ON PURCHASING FROM PEOPLE WITH DISABILITIES. Section 122.006, Human Resources Code, is amended to read as follows:
Sec. 122.006. SUNSET PROVISION. The Texas Council on Purchasing from People with Disabilities is

SENATE VERSION

SECTION 2.10. OFFICE OF PUBLIC INSURANCE COUNSEL. Section 501.003, Insurance Code, is amended to read as follows:
Sec. 501.003. SUNSET PROVISION. The office of public insurance counsel is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished September 1, 2011 [~~2009~~].

SECTION 2.11. OFFICE OF INJURED EMPLOYEE COUNSEL. Section 404.003, Labor Code, is amended to read as follows:
Sec. 404.003. SUNSET PROVISION. The office of injured employee counsel is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished and this chapter expires September 1, 2011 [~~2009~~].

ARTICLE 3. ENTITIES GIVEN 2013 SUNSET DATE

No equivalent provision.

CONFERENCE

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the council is abolished and this chapter expires September 1, 2013 [~~2015~~].

No equivalent provision.

No equivalent provision.

No equivalent provision.

SENATE VERSION

SECTION 3.01. STATE PRESERVATION BOARD. Section 443.002, Government Code, is amended to read as follows:
Sec. 443.002. SUNSET PROVISION. The State Preservation Board is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2013 [~~2014~~].

SECTION 3.02. TEXAS WORKFORCE COMMISSION. Section 301.008, Labor Code, is amended to read as follows:
Sec. 301.008. APPLICATION OF SUNSET ACT. The Texas Workforce Commission is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished September 1, 2013 [~~2009~~].

SECTION 3.03. STATE BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY. Section 401.002, Occupations Code, is amended to read as follows:

CONFERENCE

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

Sec. 401.002. APPLICATION OF SUNSET ACT. The State Board of Examiners for Speech-Language Pathology and Audiology is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2013 [~~2009~~].

No equivalent provision.

SECTION 3.04. STATE COMMITTEE OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS. Section 402.002, Occupations Code, is amended to read as follows:
Sec. 402.002. APPLICATION OF SUNSET ACT. The State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the committee is abolished and this chapter expires September 1, 2013 [~~2009~~].

No equivalent provision.

SECTION 3.05. EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND OCCUPATIONAL THERAPY EXAMINERS. Section 452.002, Occupations Code, is amended to read as follows:
Sec. 452.002. APPLICATION OF SUNSET ACT. The Executive Council of Physical Therapy and Occupational Therapy Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

in existence as provided by that chapter, the executive council is abolished and the following laws expire September 1, 2013 [~~2009~~]:

- (1) this chapter;
- (2) Chapter 453; and
- (3) Chapter 454.

No equivalent provision.

SECTION 3.06. TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS. Section 453.002, Occupations Code, is amended to read as follows:
Sec. 453.002. APPLICATION OF SUNSET ACT. The Texas Board of Physical Therapy Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2013 [~~2009~~].

No equivalent provision.

SECTION 3.07. TEXAS BOARD OF OCCUPATIONAL THERAPY EXAMINERS. Section 454.003, Occupations Code, is amended to read as follows:
Sec. 454.003. APPLICATION OF SUNSET ACT. The Texas Board of Occupational Therapy Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2013 [~~2009~~].

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

No equivalent provision.

ARTICLE 5. ENTITY REMOVED FROM SPECIFIC SUNSET REVIEW

SECTION 5.01. REPEALER. Section 435.003, Government Code (Texas Military Facilities Commission), is repealed.

SENATE VERSION

SECTION 3.08. TEXAS BOARD OF ORTHOTICS AND PROSTHETICS. Section 605.003, Occupations Code, is amended to read as follows:
Sec. 605.003. APPLICATION OF SUNSET ACT. The Texas Board of Orthotics and Prosthetics is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2013 [~~2009~~].

SECTION 3.09. SELF-DIRECTED SEMI-INDEPENDENT AGENCY PROJECT. Section 4(c), Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes), is amended to read as follows:
(c) This Act is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, this Act expires September 1, 2013 [~~2009~~].

ARTICLE 4. Same as House version.

SECTION 4.01. REPEALER. Section 435.003, Government Code (Texas Military Facilities Commission **sunset provision**), is repealed.

CONFERENCE

House Bill 3249
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

No equivalent provision.

ARTICLE 5. SPECIAL PURPOSE REVIEW

No equivalent provision.

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

- (1) an evaluation of the board's management efforts to comply with legislative direction and performance measure targets; and
- (2) any recommendations the commission considers appropriate based on the review of the board.

ARTICLE 6. EFFECTIVE DATE

Same as House version.

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

Same as House version.