

By: Isett

H.B. No. 1959

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the governmental entities subject to the sunset review  
3 process.

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

5 ARTICLE 1. ENTITIES GIVEN 2013 SUNSET DATE

6 SECTION 1.01. TEXAS EDUCATION AGENCY. Section 7.004,  
7 Education Code, is amended to read as follows:

8 Sec. 7.004. SUNSET PROVISION. The Texas Education Agency  
9 is subject to Chapter 325, Government Code (Texas Sunset  
10 Act). Unless continued in existence as provided by that chapter,  
11 the agency is abolished September 1, 2013 [~~2012~~]. [~~In the review  
12 of the agency by the Sunset Advisory Commission, as required by this  
13 section, the sunset commission shall limit its review to the  
14 appropriateness of recommendations made by the sunset commission to  
15 the 79th Legislature. In the Sunset Advisory Commission's report  
16 to the 80th Legislature, the sunset commission may include any  
17 recommendations it considers appropriate.]~~

18 SECTION 1.02. TRANSFER OF PURCHASING POWERS TO THE  
19 COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS. Sections  
20 2151.0041(b) and (c), Government Code, are amended to read as  
21 follows:

22 (b) The Sunset Advisory Commission shall evaluate the  
23 transfer of powers and duties to the comptroller under Section  
24 2151.004(d) and under House Bill 3560, Acts of the 80th

1 Legislature, Regular Session, 2007, and present to the 83rd [~~82nd~~]  
2 Legislature a report on its evaluation and recommendations in  
3 relation to the transfer. The comptroller shall perform all duties  
4 in relation to the evaluation that a state agency subject to review  
5 under Chapter 325 would perform in relation to a review.

6 (c) Unless otherwise provided by the legislature by law, on  
7 September 1, 2013 [~~2011~~]:

8 (1) the powers and duties transferred to the  
9 comptroller under Section 2151.004(d) and under House Bill 3560,  
10 Acts of the 80th Legislature, Regular Session, 2007, are  
11 transferred to the Texas Facilities Commission;

12 (2) a reference in law to the comptroller relating to a  
13 power or duty transferred under this subsection means the Texas  
14 Facilities Commission;

15 (3) a rule or form adopted by the comptroller relating  
16 to a power or duty transferred under this subsection is a rule or  
17 form of the Texas Facilities Commission and remains in effect until  
18 altered by the commission;

19 (4) all obligations, contracts, proceedings, cases,  
20 negotiations, funds, and employees of the comptroller relating to a  
21 power or duty transferred under this subsection are transferred to  
22 the Texas Facilities Commission;

23 (5) all property and records in the custody of the  
24 comptroller relating to a power or duty transferred under this  
25 subsection and all funds appropriated by the legislature for  
26 purposes related to a power or duty transferred under this  
27 subsection are transferred to the Texas Facilities Commission; and

1           (6) Section 122.0011, Human Resources Code, and the  
2 following provisions of the Government Code expire:

3                   (A) Sections 2151.004(c) and (d);

4                   (B) Section 2155.0011;

5                   (C) Section 2155.086;

6                   (D) Section 2155.087;

7                   (E) Section 2156.0011;

8                   (F) Section 2157.0011;

9                   (G) Section 2158.0011;

10                  (H) Section 2161.0011;

11                  (I) Section 2163.0011;

12                  (J) Section 2170.0011;

13                  (K) Section 2171.0011;

14                  (L) Section 2172.0011;

15                  (M) Section 2176.0011;

16                  (N) Section 2177.0011; and

17                  (O) Section 2262.0011.

18           SECTION 1.03. TEXAS COUNCIL ON PURCHASING FROM PEOPLE WITH  
19 DISABILITIES. Section 122.006, Human Resources Code, is amended to  
20 read as follows:

21           Sec. 122.006. SUNSET PROVISION. The Texas Council on  
22 Purchasing from People with Disabilities is subject to Chapter 325,  
23 Government Code (Texas Sunset Act). Unless continued in existence  
24 as provided by that chapter, the council is abolished and this  
25 chapter expires September 1, 2013 [~~2015~~].

26                                   ARTICLE 2. EFFECTIVE DATE

27           SECTION 2.01. EFFECTIVE DATE. This Act takes effect

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1 immediately if it receives a vote of two-thirds of all the members  
2 elected to each house, as provided by Section 39, Article III, Texas  
3 Constitution. If this Act does not receive the vote necessary for  
4 immediate effect, this Act takes effect September 1, 2009.