

By: Harper-Brown

H.B. No. 3396

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to requiring a state agency that is undergoing review by  
3 the Sunset Advisory Commission to undergo a financial audit and  
4 submit a zero-based budget in connection with the review.

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

6 SECTION 1. Section 325.007, Government Code, is amended to  
7 read as follows:

8 Sec. 325.007. AGENCY REPORT TO COMMISSION. (a) Before  
9 September 1 of the odd-numbered year before the year in which a  
10 state agency subject to this chapter is abolished, the agency shall  
11 report to the commission:

12 (1) information regarding the application to the  
13 agency of the criteria in Section 325.011; and

14 (2) any other information that the agency considers  
15 appropriate or that is requested by the commission.

16 (b) Before November 1 of the odd-numbered year before the  
17 year in which a state agency subject to this chapter is abolished,  
18 the agency shall present to the commission a zero-based budget for  
19 the state fiscal year that begins on the date the agency is  
20 scheduled to be abolished that:

21 (1) justifies each activity performed by the agency  
22 with reference to the agency's legal authority to perform the  
23 activity;

24 (2) budgets the minimum amount for each activity that

1 the agency considers necessary to adequately comply with the duties  
2 imposed by law on the agency; and

3 (3) includes any other information required by the  
4 commission.

5 SECTION 2. Chapter 325, Government Code, is amended by  
6 adding Section 325.0075 to read as follows:

7 Sec. 325.0075. FINANCIAL AUDIT. The state auditor shall  
8 conduct a financial audit under Section 321.0131 of each state  
9 agency scheduled to be abolished on a date certain if not continued  
10 in accordance with this chapter. The state auditor shall conduct  
11 the audit at a time so that the completed audit may be sent to the  
12 commission on September 1 of the odd-numbered year before the year  
13 the agency is scheduled to be abolished.

14 SECTION 3. The changes in law made by this Act apply in  
15 relation to the review by the Sunset Advisory Commission of  
16 agencies scheduled to be abolished on or after September 1, 2013, if  
17 not continued in accordance with Chapter 325, Government Code, and  
18 in relation to any other agencies that by law are reviewed during  
19 those review periods by the Sunset Advisory Commission.

20 SECTION 4. This Act takes effect September 1, 2009.