

By: Rose

H.B. No. 4378

Substitute the following for H.B. No. 4378:

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C.S.H.B. No. 4378

A BILL TO BE ENTITLED

AN ACT

relating to obsolete or redundant reporting requirements applicable to health and human services agencies.

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

SECTION 1. Subchapter A, Chapter 531, Government Code, is amended by adding Section 531.0145 to read as follows:

Sec. 531.0145. OBSOLETE OR REDUNDANT REPORTING REQUIREMENTS. (a) Not later than December 1, 2009, the executive commissioner shall:

(1) examine the health and human services agency reporting requirements established by a state statute enacted before January 1, 2007, and not amended since that date, and identify each reporting requirement that the executive commissioner determines:

(A) is not necessary to accomplish the objectives of the statute that contains the reporting requirement;

(B) is redundant of other statutory reporting requirements; or

(C) is required under statute to be provided at a frequency for which data is not available;

(2) provide to the governor, the lieutenant governor, the speaker of the house of representatives, the chairs of the Senate Health and Human Services Committee, House Human Services Committee, and House Public Health Committee, or those committees'

1 successors, the state auditor's office, the Legislative Budget
2 Board, the Texas State Library and Archives Commission, and the
3 Sunset Advisory Commission an initial report that includes:

4 (A) each statutory reporting requirement for
5 which the executive commissioner made the determination described
6 by Subdivision (1); and

7 (B) the justification for the executive
8 commissioner's determination for each reporting requirement;

9 (3) publish a copy of the initial report in the Texas
10 Register; and

11 (4) post a copy of the initial report on the
12 commission's Internet website.

13 (b) Not later than the 60th day after the date the executive
14 commissioner issues the initial report under Subsection (a)(2), the
15 executive commissioner shall hold a public hearing on the report.

16 (c) The executive commissioner may not include in the
17 initial report issued under Subsection (a)(2) a reporting
18 requirement that:

19 (1) is required by federal law; or

20 (2) applies to another state agency in addition to a
21 health and human services agency.

22 (d) Not later than the 60th day after the date the executive
23 commissioner issues the initial report under Subsection (a)(2), the
24 governor, the lieutenant governor, the speaker of the house of
25 representatives, the chairs of the Senate Health and Human Services
26 Committee, House Human Services Committee, and House Public Health
27 Committee, or those committees' successors, and any other person

1 may submit to the executive commissioner any comments on the
2 reporting requirements identified by the executive commissioner,
3 including comments indicating the person believes a specific
4 reporting requirement is necessary and should continue to be
5 required under statute.

6 (e) Not later than May 1, 2010, and after considering the
7 comments provided under Subsection (d), the executive commissioner
8 shall:

9 (1) issue a final report listing the reporting
10 requirements the executive commissioner determines:

11 (A) are not necessary to accomplish the
12 objectives of the statute that contains the reporting requirement;

13 (B) are redundant of other statutory reporting
14 requirements; or

15 (C) are required under statute to be provided at
16 a frequency for which data is not available and recommending the
17 frequency at which the reporting requirement could be fulfilled;

18 (2) provide to the governor, the lieutenant governor,
19 the speaker of the house of representatives, the chairs of the
20 Senate Health and Human Services Committee, House Human Services
21 Committee, and House Public Health Committee, or those committees'
22 successors, the state auditor's office, the Legislative Budget
23 Board, the Texas State Library and Archives Commission, and the
24 Sunset Advisory Commission a list of each statutory reporting
25 requirement for which the executive commissioner made the
26 determination described by Subdivision (1) and, for each statutory
27 reporting requirement, the justification for the executive

1 commissioner's determination; and

2 (3) publish in the Texas Register and post on the
3 commission's Internet website a list of each statutory reporting
4 requirement for which the executive commissioner made the
5 determination described by Subdivision (1).

6 (f) For each reporting requirement included in the final
7 report under Subsection (e)(1), it is the intent of the 81st
8 Legislature that the 82nd Legislature consider repealing the
9 reporting requirement or amending a statute to decrease the
10 frequency of the reporting requirement.

11 (g) This section expires September 1, 2012.

12 SECTION 2. This Act takes effect September 1, 2009.