

By: Rose

H.B. No. 4378

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the repeal of obsolete or redundant reporting
3 requirements of health and human services agencies.

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

5 SECTION 1. ABOLITION OF REDUNDANT OR OBSOLETE REPORTS. (a)
6 Notwithstanding any other provision of state law, each report
7 required of a health and human services agency under a state law
8 before the effective date of this act is abolished on the date
9 prescribed in this act if the governor, lieutenant governor,
10 speaker of the house of representatives, and the presiding officers
11 of the Senate Health and Human Services Committee, House Human
12 Services Committee, and House Public Health Committee or their
13 successors determine that the report is:

14 (1) no longer required to accomplish the objectives of
15 the statute under which it was required; or

16 (2) redundant of other statutory reporting
17 requirements.

18 (b) A report required of a health and human services agency
19 under a state law before the effective date of this act is not
20 abolished if the report is:

21 (1) required by federal law;

22 (2) applicable to state agencies other than health and
23 human services agencies; or

24 (3) as determined by the executive commissioner of the

1 Health and Human Services Commission, required for the
2 implementation of a duty prescribed under a state law with an
3 effective date on or after the effective date of this act.

4 (c) No later than December 1, 2009, the executive
5 commissioner of the Health and Human Services Commission shall:

6 (1) identify which reports should be considered for
7 abolition under Subsection (a) of this act and report such
8 recommendations to the governor, lieutenant governor, speaker of
9 the house of representatives, and the presiding officers of the
10 Senate Health and Human Services Committee, House Human Services
11 Committee, and the House Public Health Committee for their
12 consideration. The recommendations shall include a summary of the
13 report and the justification for the recommendations.

14 (2) The executive commissioner shall provide a copy of
15 the recommendations to the State Auditor's Office, the Legislative
16 Budget Board, and the Library and Archives Commission.

17 (3) The executive commissioner shall publish the list
18 of reports recommended for abolition in the Texas Register and on
19 the agency website.

20 (d) If, not later than February 1, 2010, any of the
21 officials identified in subsection (a) object to the recommendation
22 of a specific report for abolition, the report shall not be
23 abolished and shall continue in effect without change.

24 (1) Any report for which there is no such objection is
25 abolished effective February 1, 2010.

26 (2) The executive commissioner shall publish the list
27 of reports that are abolished under subsection (a) of this act in

1 the Texas Register.

2 (e) A report that is required by a statute with an effective
3 date on or after the effective date of this act is exempt from
4 abolition under Subsection (a) of this act.

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

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