

By: Watson

S.B. No. 738

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a state agency review and analysis of the revenue
3 sources that pay for the agency's functions and the adjustment by
4 certain agencies of fee amounts.

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

6 SECTION 1. Chapter 2056, Government Code, is amended by
7 adding Section 2056.0023 to read as follows:

8 Sec. 2056.0023. ANALYSIS OF REVENUE SOURCES. As part of the
9 strategic plan required under Section 2056.002, a state agency
10 shall:

11 (1) review the agency's functions that are paid for
12 wholly by general revenue and determine whether any of those
13 functions could appropriately be paid for wholly or partly by fees
14 or other sources of revenue;

15 (2) review the agency's functions that currently are
16 paid for wholly or partly by sources of revenue other than general
17 revenue, including fee revenue, and determine whether those sources
18 of revenue could appropriately be increased; and

19 (3) for an agency function that the agency determines
20 could appropriately be paid for wholly or partly by charging a new
21 fee or by increasing the amount of an existing fee:

22 (A) recommend the appropriate fee amounts;

23 (B) describe who would pay the new fee or the
24 increased fee; and

1 (C) estimate the amount of revenue that would be
2 received from the recommended fee amounts.

3 SECTION 2. Section 316.045(b), Government Code, is amended
4 to read as follows:

5 (b) If the agency determines that the fees are set at a level
6 that [~~exceeds the administrative costs of the agency~~] as of the date
7 of the review exceeds the sum of the direct costs to the agency to
8 provide the services or regulate the activities for which the fees
9 are charged and the indirect costs to state government that could
10 appropriately be allocated to the provision of those services or
11 the regulation of those activities, the agency shall reduce the
12 amount of the affected fees to the appropriate level and shall
13 charge the reduced fees during the subsequent biennium. Each
14 agency shall give specific recognition to reductions in salary
15 expenses resulting from statutorily directed employee attrition.

16 SECTION 3. This Act takes effect September 1, 2009.