

By: Nelson

S.B. No. 2396

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:

(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' successors, the state auditor's office, the Legislative Budget

1 Board, the Texas State Library and Archives Commission, and the  
2 Sunset Advisory Commission an initial report that includes:

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

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

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

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

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

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

18 (1) is required by federal law; or

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

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

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

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

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

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

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

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

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

27 (3) publish in the Texas Register and post on the

1 commission's Internet website a list of each statutory reporting  
2 requirement for which the executive commissioner made the  
3 determination described by Subdivision (1).

4 (f) For each reporting requirement included in the final  
5 report under Subsection (e)(1), the 82nd Legislature shall consider  
6 repealing the reporting requirement or amending a statute to  
7 decrease the frequency of the reporting requirement.

8 (g) On or after the date the executive commissioner issues  
9 the final report under Subsection (e)(1) and until August 31, 2011,  
10 a health and human services agency:

11 (1) is not required to comply with a reporting  
12 requirement that is included in the list of reporting requirements  
13 for which the executive commissioner made the determination under  
14 Subsection (e)(1) that the report is no longer required, but shall  
15 continue to gather the data required for the reporting requirement;  
16 and

17 (2) shall, for any reporting requirement for which the  
18 frequency is modified by the executive commissioner under the  
19 determination under Subsection (e)(1)(C), comply with the  
20 frequency requirements established by the executive commissioner.

21 (h) After September 1, 2011, a health and human services  
22 agency shall comply with a reporting requirement as provided by  
23 statute.

24 (i) This section expires September 1, 2012.

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