

Suspending limitations on conference committee  
jurisdiction, H.B. No. 1959

By: Hegar

S.R. No. 1105

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 81st Legislature, Regular Session, 2009, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill No. 1959 (the governmental entities subject to the sunset review process) to consider and take action on the following matters:

(1) Senate Rule 12.03(4) is suspended to permit the committee to add the following:

SECTION 1.09. TEXAS STATE AFFORDABLE HOUSING CORPORATION. (a) Section 2306.5521, Government Code, is amended to read as follows:

Sec. 2306.5521. SUNSET PROVISION. The Texas State Affordable Housing Corporation is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the corporation is abolished and this subchapter expires September 1, 2011 [~~2009~~].

(b) This section takes effect only if the 81st Legislature, Regular Session, 2009, does not enact other legislation that becomes law and that amends Section 2306.5521, Government Code, to extend the sunset date of the Texas State Affordable Housing Corporation. If the 81st Legislature, Regular Session, 2009, enacts legislation of that kind, this section has no effect.

SECTION 1.10. TEXAS RACING COMMISSION. (a) Subsection

S.R. No. 1105

(a), Section 18.01, Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) The Texas Racing Commission is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, and except as provided by Subsections (b) and (c) of this section, the commission is abolished and this Act expires September 1, 2011 [~~2009~~].

(b) This section takes effect only if the 81st Legislature, Regular Session, 2009, does not enact other legislation that becomes law and that amends Section 18.01, Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes), to extend the sunset date of the Texas Racing Commission. If the 81st Legislature, Regular Session, 2009, enacts legislation of that kind, this section has no effect.

SECTION 1.11. TEXAS DEPARTMENT OF INSURANCE.

(a) Section 31.004(a), Insurance Code, is amended to read as follows:

(a) The Texas Department of Insurance is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished September 1, 2011 [~~2009~~].

(b) This section takes effect only if the 81st Legislature, Regular Session, 2009, does not enact other legislation that becomes law and that amends Section 31.004(a), Insurance Code, to extend the sunset date of the Texas Department of Insurance. If the 81st Legislature, Regular Session, 2009, enacts legislation of that kind, this section has no effect.

SECTION 1.12. TEXAS YOUTH COMMISSION. (a) Section 61.020, Human Resources Code, is amended to read as follows:

Sec. 61.020. SUNSET PROVISION. (a) The Texas Youth Commission is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this chapter expires September 1, 2011 [~~2009~~].

(b) In the review of the Texas Youth Commission by the Sunset Advisory Commission, as required by this section, the sunset commission shall focus its review on:

(1) the commission's compliance with Chapter 263 (S.B. 103), Acts of the 80th Legislature, Regular Session, 2007;

(2) requirements placed on the agency by legislation enacted by the 81st Legislature, Regular Session, 2009, that becomes law, including implementation of programs for the diversion of youth from the commission; and

(3) initiatives of the commission and the Texas Juvenile Probation Commission in coordinating activities and services to better integrate Texas Youth Commission, Texas Juvenile Probation Commission, and county juvenile justice functions, including joint strategic planning, the sharing of youth data across youth-serving agencies, assessments and classification of youth, and collection of data on probation outcomes.

(c) In its report to the 82nd Legislature, the sunset commission may include any recommendations it considers appropriate. This subsection and Subsection (b) expire

September 1, 2011.

(b) This section takes effect only if the 81st Legislature, Regular Session, 2009, does not enact other legislation that becomes law and that amends Section 61.020, Human Resources Code, to extend the sunset date of the Texas Youth Commission. If the 81st Legislature, Regular Session, 2009, enacts legislation of that kind, this section has no effect.

SECTION 1.13. TEXAS JUVENILE PROBATION COMMISSION.

(a) Section 141.012, Human Resources Code, is amended to read as follows:

Sec. 141.012. SUNSET PROVISION. (a) The Texas Juvenile Probation Commission is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this chapter expires September 1, 2011 [~~2009~~].

(b) In the review of the Texas Juvenile Probation Commission by the Sunset Advisory Commission, as required by this section, the sunset commission shall focus its review on the following:

(1) the commission's compliance with Chapter 263 (S.B. 103), Acts of the 80th Legislature, Regular Session, 2007;

(2) requirements placed on the agency by legislation enacted by the 81st Legislature, Regular Session, 2009, that becomes law, including implementation of programs for the diversion of youth from the Texas Youth Commission; and

(3) initiatives of the commission and the Texas

S.R. No. 1105

Youth Commission in coordinating activities and services to better integrate Texas Juvenile Probation Commission, Texas Youth Commission, and county juvenile justice functions, including joint strategic planning, the sharing of youth data across youth-serving agencies, assessment and classification of youth, and collection of data on probation outcomes.

(c) In its report to the 82nd Legislature, the sunset commission may include any recommendations it considers appropriate. This subsection and Subsection (b) expire September 1, 2011.

(b) This section takes effect only if the 81st Legislature, Regular Session, 2009, does not enact other legislation that becomes law and that amends Section 141.012, Human Resources Code, to extend the sunset date of the Texas Juvenile Probation Commission. If the 81st Legislature, Regular Session, 2009, enacts legislation of that kind, this section has no effect.

SECTION 1.14. OFFICE OF INDEPENDENT OMBUDSMAN FOR THE TEXAS YOUTH COMMISSION. (a) Section 64.054, Human Resources Code, is amended to read as follows:

Sec. 64.054. SUNSET PROVISION. (a) The office is subject to review under Chapter 325, Government Code (Texas Sunset Act), but is not abolished under that chapter. The office shall be reviewed during the periods in which the Texas Youth Commission is ~~[state agencies abolished in 2009 and every 12th year after 2009 are]~~ reviewed.

(b) Notwithstanding Subsection (a), the Sunset Advisory

Commission shall focus its review of the office on compliance with requirements placed on the office by legislation enacted by the 81st Legislature, Regular Session, 2009, that becomes law. This subsection expires September 1, 2011.

(b) This section takes effect only if the 81st Legislature, Regular Session, 2009, does not enact other legislation that becomes law and that amends Section 64.054, Human Resources Code, to extend the sunset date of the Office of Independent Ombudsman for the Texas Youth Commission. If the 81st Legislature, Regular Session, 2009, enacts legislation of that kind, this section has no effect.

SECTION 1.15. OFFICE OF PUBLIC INSURANCE COUNSEL. Section 501.003, Insurance Code, is amended to read as follows:

Sec. 501.003. SUNSET PROVISION. The office is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished September 1, 2011 [~~2009~~].

SECTION 1.16. TEXAS DEPARTMENT OF PUBLIC SAFETY. (a) Section 411.002, Government Code, is amended by amending Subsection (c) to read as follows:

(c) The Department of Public Safety of the State of Texas is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished and Subsections (a) and (b) expire September 1, 2011 [~~2009~~].

(b) This section takes effect only if the 81st Legislature, Regular Session, 2009, does not enact other

S.R. No. 1105

legislation that becomes law and that amends Section 411.002, Government Code, to extend the sunset date of the Texas Department of Public Safety. If the 81st Legislature, Regular Session, 2009, enacts legislation of that kind, this section has no effect.

Explanation: The changes are necessary to change the sunset review date for various state agencies.

(2) Senate Rules 12.03(1) and (2) are suspended to permit the committee, in SECTION 1.17 of the bill, to change text that is not in disagreement and to omit text that is not in disagreement by amending Section 7.004, Education Code, to read as follows:

SECTION 1.17. TEXAS EDUCATION AGENCY. Section 7.004, Education Code, is amended to read as follows:

Sec. 7.004. SUNSET PROVISION. (a) The Texas Education Agency is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the agency is abolished September 1, 2011 [2012]. [~~In the review of the agency by the Sunset Advisory Commission, as required by this section, the sunset commission shall limit its review to the appropriateness of recommendations made by the sunset commission to the 79th Legislature. In the Sunset Advisory Commission's report to the 80th Legislature, the sunset commission may include any recommendations it considers appropriate.~~]

Explanation: The change is necessary to provide for the sunset review of the Texas Education Agency in preparation for the 82nd Legislature.

(3) Senate Rule 12.03(4) is suspended to permit the

committee to add the following:

SECTION 2.12. OFFICE OF FIREFIGHTERS' PENSION COMMISSIONER. Article 6243e, Vernon's Texas Civil Statutes, Section 21(h), is amended to read as follows:

(h) The office of fire fighters' pension commissioner is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished September 1, 2013 [~~2011~~].

SECTION 2.13. TEXAS LOTTERY COMMISSION. Section 467.002, Government Code, is amended to read as follows:

Sec. 467.002. APPLICATION OF SUNSET ACT. The commission is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this chapter, Chapter 466 of this code, and Chapter 2001, Occupations Code, expire September 1, 2013 [~~2011~~].

SECTION 2.14. TEXAS DEPARTMENT OF TRANSPORTATION. (a) Section 201.204, Transportation Code, is amended to read as follows:

Sec. 201.204. SUNSET PROVISION. The Texas Department of Transportation is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished September 1, 2013 [~~2009~~].

(b) This section takes effect only if the 81st Legislature, Regular Session, 2009, does not enact other legislation that becomes law and that amends Section 201.204, Transportation Code, to extend the sunset date of the Texas Department of Transportation. If the 81st Legislature, Regular



S.R. No. 1105

Session, 2009, enacts legislation of that kind, this section has no effect.

SECTION 2.15. TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION. Section 31.004(b), Insurance Code, is amended to read as follows:

(b) Unless continued as provided by Chapter 325, Government Code, the duties of the division of workers' compensation of the Texas Department of Insurance under Title 5, Labor Code, expire September 1, 2013 [~~2011~~], or another date designated by the legislature.

SECTION 2.16. OFFICE OF INJURED EMPLOYEE COUNSEL. Section 404.003, Labor Code, is amended to read as follows:

Sec. 404.003. SUNSET PROVISION. The office of injured employee counsel is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished and this chapter expires September 1, 2013 [~~2011~~].

Explanation: The changes are necessary to change the sunset review date for various state agencies.

---

President of the Senate

I hereby certify that the  
above Resolution was adopted by  
the Senate on May 31, 2009.

---

Secretary of the Senate