

Suspending limitations on conference committee
jurisdiction, H.B. No. 1959 (Isett/Hegar)

By: Hegar

S.R. No. 1105

R E S O L U T I O N

1 BE IT RESOLVED by the Senate of the State of Texas, 81st
2 Legislature, Regular Session, 2009, That Senate Rule 12.03 be
3 suspended in part as provided by Senate Rule 12.08 to enable the
4 conference committee appointed to resolve the differences on House
5 Bill 1959 (the governmental entities subject to the sunset review
6 process) to consider and take action on the following matters:

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

9 SECTION 1.09. TEXAS STATE AFFORDABLE HOUSING CORPORATION.

10 (a) Section 2306.5521, Government Code, is amended to read as
11 follows:

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

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

23 SECTION 1.10. TEXAS RACING COMMISSION. (a) Subsection (a),
24 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:

1 Sec. 61.020. SUNSET PROVISION. (a) The Texas Youth
2 Commission is subject to Chapter 325, Government Code (Texas Sunset
3 Act). Unless continued in existence as provided by that chapter,
4 the commission is abolished and this chapter expires September 1,
5 2011 [~~2009~~].

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

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

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

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

22 (c) In its report to the 82nd Legislature, the sunset
23 commission may include any recommendations it considers
24 appropriate. This subsection and Subsection (b) expire September
25 1, 2011.

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

1 becomes law and that amends Section 61.020, Human Resources Code,
2 to extend the sunset date of the Texas Youth Commission. If the
3 81st Legislature, Regular Session, 2009, enacts legislation of that
4 kind, this section has no effect.

5 SECTION 1.13. TEXAS JUVENILE PROBATION COMMISSION. (a)
6 Section 141.012, Human Resources Code, is amended to read as
7 follows:

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

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

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

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

22 (3) initiatives of the commission and the Texas Youth
23 Commission in coordinating activities and services to better
24 integrate Texas Juvenile Probation Commission, Texas Youth
25 Commission, and county juvenile justice functions, including joint
26 strategic planning, the sharing of youth data across youth-serving
27 agencies, assessment and classification of youth, and collection of

1 data on probation outcomes.

2 (c) In its report to the 82nd Legislature, the sunset
3 commission may include any recommendations it considers
4 appropriate. This subsection and Subsection (b) expire September 1,
5 2011.

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

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

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

21 (b) Notwithstanding Subsection (a), the Sunset Advisory
22 Commission shall focus its review of the office on compliance with
23 requirements placed on the office by legislation enacted by the
24 81st Legislature, Regular Session, 2009, that becomes law. This
25 subsection expires September 1, 2011.

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

1 becomes law and that amends Section 64.054, Human Resources Code,
2 to extend the sunset date of the Office of Independent Ombudsman for
3 the Texas Youth Commission. If the 81st Legislature, Regular
4 Session, 2009, enacts legislation of that kind, this section has no
5 effect.

6 SECTION 1.15. OFFICE OF PUBLIC INSURANCE COUNSEL. Section
7 501.003, Insurance Code, is amended to read as follows:

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

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

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

19 (b) This section takes effect only if the 81st Legislature,
20 Regular Session, 2009, does not enact other legislation that
21 becomes law and that amends Section 411.002, Government Code, to
22 extend the sunset date of the Texas Department of Public Safety. If
23 the 81st Legislature, Regular Session, 2009, enacts legislation of
24 that kind, this section has no effect.

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

27 (2) Senate Rules 12.03(1) and (2) are suspended to permit

1 the committee, in SECTION 1.17 of the bill, to change text that is
2 not in disagreement and to omit text that is not in disagreement by
3 amending Section 7.004, Education Code, to read as follows:

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

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

16 Explanation: The change is necessary to provide for the
17 sunset review of the Texas Education Agency in preparation for the
18 82nd Legislature.

19 (3) Senate Rule 12.03(4) is suspended to permit the
20 committee to add the following:

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

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

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

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

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

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

15 (b) This section takes effect only if the 81st Legislature,
16 Regular Session, 2009, does not enact other legislation that
17 becomes law and that amends Section 201.204, Transportation Code,
18 to extend the sunset date of the Texas Department of
19 Transportation. If the 81st Legislature, Regular Session, 2009,
20 enacts legislation of that kind, this section has no effect.

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

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

1 legislature.

2 SECTION 2.16. OFFICE OF INJURED EMPLOYEE COUNSEL. Section
3 404.003, Labor Code, is amended to read as follows:

4 Sec. 404.003. SUNSET PROVISION. The office of injured
5 employee counsel is subject to Chapter 325, Government Code (Texas
6 Sunset Act). Unless continued in existence as provided by that
7 chapter, the office is abolished and this chapter expires September
8 1, 2013 [~~2011~~].

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