

## **BILL ANALYSIS**

C.S.H.B. 2870  
By: Harper-Brown  
Government Efficiency & Reform  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

A recent report published by the Texas State Library and Archives Commission regarding the potential elimination or reduction in frequency of reports that are required by state law to be submitted by a state agency or institution of higher education to another state agency or office identified a number of reports that could be eliminated without compromising the need of the governor and the Texas Legislature to be made aware of the activities and financial status of state government. A work group consisting of representatives from those state agencies and offices that receive the greatest number of reports from other agencies, including the offices of the governor, lieutenant governor, and speaker of the house of representatives, and the Legislative Budget Board, comptroller of public accounts, Texas Workforce Commission, Health and Human Services Commission, and Texas Higher Education Coordinating Board, evaluated those reports and found that many of the reports received by the agencies were of little or no use.

C.S.H.B. 2870 seeks to increase government efficiency by eliminating outdated state agency and higher education reports that are unnecessary and consume staff time, printing costs, and storage space.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2870 amends the Agriculture Code to remove a requirement that the State Soil and Water Conservation Board file annually with the governor and the presiding officer of each house of the legislature a complete and detailed written report that accounts for all funds received and disbursed by the board during the preceding year.

C.S.H.B. 2870 amends the Education Code to remove a requirement that the State Board for Educator Certification file annually with the governor and the presiding officer of each house of the legislature a complete and detailed written report accounting for all funds received and disbursed by the board during the preceding fiscal year. The bill removes a requirement that the commissioner of education prepare and file a fiscal year report with the governor, lieutenant governor, and speaker of the house documenting activities of the state virtual school network.

C.S.H.B. 2870 amends the Government Code to remove a requirement that the Department of Public Safety and the Texas Department of Transportation (TxDOT) file, not later than January 15 of each odd-numbered year, with the presiding officer of each house of the legislature a report that describes the procedures and implementation of procedures governing coordination between the agencies on transportation infrastructure projects. The bill removes a requirement that the Texas State Library and Archives Commission include an itemized statement of the commission's expenditures and careful estimates of money necessary for carrying out its duties

in the commission's biennial report to the governor. The bill removes a requirement that the Texas Department of Criminal Justice send a copy of a record of all inmate claims for lost or damaged property to the state auditor at least annually. The bill removes a requirement that the Board of Pardons and Paroles prepare annually a complete and detailed written report that accounts for all funds received and disbursed by the board during the preceding fiscal year. The bill removes a requirement that the Office of State-Federal Relations prepare annually a complete and detailed written report accounting for all funds received and disbursed by the office during the preceding fiscal year.

C.S.H.B. 2870 amends the Human Resources Code to remove a requirement that the Health and Human Services Commission report to the comptroller of public accounts the amount of the unencumbered balances in each operating fund that belongs to the children's assistance fund and the medical assistance fund. The bill removes a requirement that each health and human services agency that provides, purchases, or otherwise funds transportation services for clients, not later than August 31 of each year, submit to the Health and Human Services Office of Community Transportation Services a report relating to transportation services, and removes a requirement for that office to submit, not later than September 30 of each even-numbered year, a report by electronic mail and by hand delivery to the governor, the secretary of state, the Legislative Budget Board, and the commissioner of health and human services relating to the results of the review of the statewide coordination plan conducted by the office.

C.S.H.B. 2870 amends the Insurance Code to remove a requirement that the advisory committee on electronic data exchange issue a final report to the commissioner of insurance containing the committee's recommendations for implementation by December 1, 2008.

C.S.H.B. 2870 amends the Natural Resources Code to remove a requirement that the Veterans Land Board report to the governor, the senate committee on finance, and the house of representatives committee on appropriations on or before December 1, 2000, regarding the status of its investment in certain revenue bonds and all related debt service.

C.S.H.B. 2870 amends the Transportation Code to remove a requirements that the chair of the Texas Transportation Commission report to the governor on the state of TxDOT affairs at least quarterly, report to the governor on efforts, including legislative requirements, to maximize the efficiency of TxDOT operations through the use of private enterprise, and periodically review TxDOT's organizational structure and submit recommendations for structural changes to the governor, the commission, and the Legislative Budget Board.

C.S.H.B. 2870 repeals the following sections of the Agriculture Code:

- Section 12.014
- Section 12.029(c)
- Section 12.038(f)
- Section 131.005(b)
- Section 161.032

C.S.H.B. 2870 repeals Section 5.09, Alcoholic Beverage Code.

C.S.H.B. 2870 repeals the following sections of the Education Code:

- Section 7.055(b)(8)
- Section 21.357(d)
- Section 29.087(m)
- Section 39.335
- Section 44.042(d)
- Section 51.216
- Section 51.504

- Section 51.917(e)
- Section 56.206(c)
- Section 61.051(r)
- Section 61.069
- Section 61.087(c)
- Section 61.806(f)
- Sections 61.823(e) and (f)
- Section 86.52(m)
- Sections 130.0033(d) and (e)
- Section 130.152
- Section 143.006

C.S.H.B. 2870 repeals Section 236.002(e), Family Code.

C.S.H.B. 2870 repeals the following sections of the Government Code:

- Section 320.003
- Section 320.004
- Section 411.0097(d), as added by Chapter 693 (S.B. 293), Acts of the 79th Legislature, Regular Session, 2005
- Section 411.013(d)
- Section 413.013
- Section 413.015
- Sections 413.016(b), (c), (d), and (e)
- Section 413.022(b)
- Section 419.010
- Section 434.013(b)
- Section 441.013(c)
- Section 441.154(n)
- Section 442.005(d)
- Section 442.010(b)
- Section 443.0051(c)
- Section 443.0135(e)
- Section 444.025(h)
- Section 448.011
- Section 481.011
- Section 481.168
- Section 492.011
- Section 511.015(b)
- Section 531.0243
- Section 531.0273(b)
- Section 531.029
- Section 531.110(f)
- Section 531.204
- Section 552.274(b), as amended by Chapters 329 (S.B. 727) and 716 (S.B. 452), Acts of the 79th Legislature, Regular Session, 2005
- Section 751.005(d)
- Section 752.006
- Section 782.014
- Section 801.203(b)
- Section 1231.086(a)
- Section 1232.069
- Section 2054.034(b)
- Section 2112.005

- Section 2152.062
- Section 2152.063
- Sections 2161.121(d) and (e)
- Section 2171.101(d)
- Section 2203.001
- Section 2205.016
- Section 2306.759

C.S.H.B. 2870 repeals the following sections of the Health and Safety Code:

- Section 11.017(a)
- Section 62.104(e)
- Section 93.006
- Section 103.018
- Section 165.034
- Section 427.006
- Section 532.017
- Section 533.0354(d)
- Section 533.049(b)
- Section 533.050(b)
- Section 691.008(c)
- Section 1001.031

C.S.H.B. 2870 repeals the following sections of the Human Resources Code:

- Sections 21.011(b) and (c)
- Section 31.0325(d)
- Section 32.0246(e)
- Section 32.055(d)
- Section 33.0022
- Section 40.0325(c)
- Section 40.0565
- Section 61.033
- Section 73.022(f)
- Section 81.006(d)
- Section 91.019
- Section 91.053(c)
- Sections 101.008(a) and (c)
- Section 111.021(b)
- Section 117.031
- Section 141.024(b)
- Section 141.086(i)
- Section 161.031

C.S.H.B. 2870 repeals Sections 402.070 and 409.012(f), Labor Code.

C.S.H.B. 2870 repeals the following sections of the Natural Resources Code:

- Section 31.059(c)
- Section 31.060
- Section 32.024
- Section 34.0191
- Section 81.055(a)
- Section 161.027

- Section 161.131(b)
- Section 161.132(b)

C.S.H.B. 2870 repeals the following sections of the Occupations Code:

- Section 153.055
- Section 202.159
- Sections 203.154(a) and (b)
- Section 205.105
- Section 206.102
- Section 301.165
- Section 351.164
- Section 451.107
- Section 452.159(a)
- Section 453.109
- Section 501.159
- Section 502.160
- Section 505.208
- Section 554.013
- Section 605.156
- Section 651.161
- Sections 651.162(a) and (c)
- Section 701.158
- Section 901.164
- Section 1701.158

C.S.H.B. 2870 repeals Section 12.021, Parks and Wildlife Code.

C.S.H.B. 2870 repeals Sections 201.107 and 201.403(c), Transportation Code.

C.S.H.B. 2870 repeals the following sections of the Utilities Code:

- Section 13.063(a)
- Section 39.902(b)
- Section 163.002

C.S.H.B. 2870 repeals Sections 5.178(d) and 26.561(a), Water Code.

C.S.H.B. 2870 repeals Section 2.17, Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes).

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 2870 omits a provision included in the original removing the requirement that a state agency or an institution of higher education submit its long-range plan for the delivery of reliable, cost-effective services to the state energy conservation office upon request.

C.S.H.B. 2870 omits provisions included in the original repealing the following sections of the Education Code:

- Sections 51.403(b), (c), and (d)
- Section 51.404
- Section 51.859

- Section 61.0815

C.S.H.B. 2870 omits provisions included in the original repealing the following sections of the Government Code:

- Section 411.0075(b), (c), and (d)
- Section 413.005(e), (f), and (g)
- Section 419.008(e)

C.S.H.B. 2870 differs from the original by repealing Subsection 141.024(b), Human Resources Code, whereas the original repeals that section in its entirety.

C.S.H.B. 2870 omits a provision included in the original repealing Section 301.160(j), Occupations Code.

C.S.H.B. 2870 omits a provision included in the original repealing Sections 2.19(c), (d), and (e), Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes).