

BILL ANALYSIS

S.B. 791

By: Duncan

Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Texas Government Code requires that each state agency provide a paper copy of all notices of proposed rules to the lieutenant governor and the speaker of the house of representatives when the agency files the notice with the secretary of state for publication in the *Texas Register*.

S.B. 791 seeks to reduce the proliferation of paper by allowing the lieutenant governor, a member of the legislature, or a legislative agency to request electronic notices of proposed rules from the Office of the Secretary of State in place of paper copies.

S.B. 791 amends current law relating to electronic notification of certain state officials and agencies of certain rules and rulemaking filings.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 22.004(b), Government Code, as follows:

(b) Requires the secretary of state (SOS), on receiving a written request from a member of the legislature, to provide the member with electronic notifications when the supreme court has promulgated rules or amendments to rules under this section. Deletes existing text requiring SOS to report the rules or amendments to rules to the next regular session of the legislature by mailing a copy of the rules or amendments to rules to each elected member of the legislature on or before December 1 immediately preceding the session.

SECTION 2. Amends Section 2001.032(b), Government Code, as follows:

(b) Requires SOS, on receiving a written request from the lieutenant governor, a member of the legislature, or a legislative agency, to provide the requestor with electronic notification of rulemaking filings by a state agency under Section 2001.023 (Notice of Proposed Rule). Deletes existing text requiring a state agency to deliver to the lieutenant governor and the speaker of the house of representatives a copy of the notice of a proposed rule when the agency files notice with SOS under Section 2001.023.

EFFECTIVE DATE

September 1, 2011.