

BILL ANALYSIS

S.B. 1618
By: Seliger
Government Efficiency & Reform
Committee Report (Unamended)

BACKGROUND AND PURPOSE

State agencies are required by law to report to the legislature on a variety of subjects and issues. Requiring state agencies to print copies of each report and deliver them to each legislative office is arcane and wasteful of state resources. Generally, once a report is mandated, its relevance is never reviewed to determine the necessity of continuing the requirement.

The bill requires all state agencies to submit all reports required by the legislature in electronic format. It also requires that school districts submit electronically any reports required by the Texas Education Agency. Additionally, it requires the Sunset Advisory Commission to review the reporting requirements imposed on each state agency as that agency is under review to determine whether they should be continued.

The bill amends current law relating to reporting requirements of state agencies and school districts.

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

The bill amends the Education Code by requiring a school district, notwithstanding any other law, to submit only in electronic format all reports required by the Education Code to be submitted to the Texas Education Agency (TEA). The bill requires TEA to prescribe the electronic format to be used by a school district submitting a report to TEA.

The bill amends the Government Code requiring that the, relating to certain reports required to be submitted to the Sunset Advisory Commission (Sunset), be submitted in electronic format only. The bill also requires Sunset to prescribe the electronic format to be used.

The bill further amends the Government Code by requiring Sunset and its staff to consider certain criteria in determining whether a public need exists for the continuation of a state agency or its advisory committees or for the performance of the functions of the agency or its advisory committees, including the extent to which the purpose and effectiveness of reporting requirements imposed on the agency justifies the continuation of the requirement. The bill requires Sunset, in its report on a state agency, to make certain recommendations, including recommendations on the continuation or abolition of each reporting requirement imposed on the agency by law.

The bill also amends the Government Code by requiring a state agency to make each report required by law available to members of the legislature only in an electronic format determined by the Texas Legislative Council. The bill deletes existing text requiring the agency to promptly

send a suitable printed copy of the report to a member of the legislature at the request of the member. Likewise, the bill requires a state agency at the time a report required by law is ready for distribution outside the state agency, to send notice, rather than written notice, to each member of the legislature that the report is available. The bill requires the agency to send the notice electronically, rather than by mail or, if it is acceptable to the member, electronically. The bill requires that the notice briefly describe the subject matter of the report and state the manner in which the member may obtain the report electronically, rather than state the manner in which the member may obtain the report electronically and that the agency will send a printed copy of the report to the member at the request of the member.

The bill repeals Government Code §2052.0021(e) (relating to sending printed copies of reports to an officer or committee of the legislature) and makes other nonsubstantive and conforming changes.

EFFECTIVE DATE

September 1, 2011.