

By: Harper-Brown

H.B. No. 2870

A BILL TO BE ENTITLED

AN ACT

relating to the elimination of certain required reports prepared by state agencies and institutions of higher education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 201.023(b), Agriculture Code, is amended to read as follows:

(b) The financial transactions of the state board are subject to audit by the state auditor in accordance with Chapter 321, Government Code. ~~[The board shall 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. The form of the annual report and the time for the report shall be prescribed in the General Appropriations Act.]~~

SECTION 2. Section 21.040, Education Code, is amended to read as follows:

Sec. 21.040. GENERAL POWERS AND DUTIES OF BOARD. The board shall:

- (1) supervise the executive director's performance;
- (2) approve an operating budget for the board and make a request for appropriations;
- (3) appoint the members of any advisory committee to the board;
- (4) for each class of educator certificate, appoint an

1 advisory committee composed of members of that class to recommend  
2 standards for that class to the board;

3 (5) provide to its members and employees, as often as  
4 necessary, information regarding their qualifications for office  
5 or employment under this chapter and their responsibilities under  
6 applicable laws relating to standards of conduct for state officers  
7 or employees;

8 (6) develop and implement policies that clearly define  
9 the respective responsibilities of the board and the board's staff;  
10 and

11 (7) [~~file annually with the governor and the presiding~~  
12 ~~officer of each house of the legislature a complete and detailed~~  
13 ~~written report, in the form and within the time provided by the~~  
14 ~~General Appropriations Act, accounting for all funds received and~~  
15 ~~disbursed by the board during the preceding fiscal year; and~~

16 [~~(8)~~] execute interagency contracts to perform  
17 routine administrative functions.

18 SECTION 3. Section 30A.054, Education Code, is amended to  
19 read as follows:

20 Sec. 30A.054. REPORTS. [~~(a)~~—~~The commissioner shall~~  
21 ~~prepare a report for each fiscal year documenting activities of the~~  
22 ~~state virtual school network in accordance with this chapter. Not~~  
23 ~~later than January 31 of each year, the commissioner shall file the~~  
24 ~~report for the preceding fiscal year with the governor, the~~  
25 ~~lieutenant governor, and the speaker of the house of~~  
26 ~~representatives.~~

27 [~~(b)~~] To the extent permitted under the Family Educational

1 Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) ~~]~~ [+

2 ~~[(1) the report under Subsection (a) must include the~~  
3 ~~results of assessment instruments administered to students~~  
4 ~~enrolled in electronic courses under this chapter; and~~

5 ~~[(2)]~~ the commissioner shall make information  
6 relating to the performance of students enrolled in electronic  
7 courses under this chapter available to school districts,  
8 open-enrollment charter schools, and the public.

9 SECTION 4. Section 411.0098(c), Government Code, is amended  
10 to read as follows:

11 (c) The department and the Texas Department of  
12 Transportation shall [+

13 ~~[(1)]~~ update and revise the procedures established  
14 under this section as necessary ~~], and~~

15 ~~[(2) file not later than January 15 of each~~  
16 ~~odd-numbered year with the presiding officer of each house of the~~  
17 ~~legislature a report that describes the procedures established~~  
18 ~~under this section and their implementation].~~

19 SECTION 5. Section 441.013(a), Government Code, is amended  
20 to read as follows:

21 (a) The commission shall make a biennial report to the  
22 governor that includes:

23 (1) a comprehensive view of the operation of the  
24 commission in discharging the duties imposed by this subchapter;

25 (2) a review of the library conditions in this state;

26 (3) ~~[an itemized statement of the commission's~~  
27 ~~expenditures;~~

1           ~~[(4)]~~ any recommendations suggested by the experience  
2 of the commission;

3           ~~[(5) careful estimates of money necessary for carrying~~  
4 ~~out this subchapter,]~~ and

5           (4) ~~[(6)]~~ a review of commission activities under  
6 Subtitle C, Title 6, Local Government Code, and Subchapters J and L.

7           SECTION 6. The heading to Section 442.010, Government Code,  
8 is amended to read as follows:

9           Sec. 442.010. AUDITS [~~, ANNUAL REPORT~~].

10           SECTION 7. Section 447.009(b), Government Code, is amended  
11 to read as follows:

12           (b) A state agency or an institution of higher education  
13 shall develop the plan described in Subsection (a)(1) [~~and submit~~  
14 ~~the plan to the state energy conservation office upon request~~]. The  
15 agency or institution shall use the plan in preparing its five-year  
16 construction and major renovation plans. After other energy-saving  
17 or water-saving alternatives are considered, district heating and  
18 cooling or on-site generation of electricity may be considered in  
19 planning for reliable, efficient, and cost-effective utility  
20 services.

21           SECTION 8. Section 501.007, Government Code, is amended to  
22 read as follows:

23           Sec. 501.007. INMATE CLAIMS FOR LOST OR DAMAGED PROPERTY.  
24 The department may pay from the miscellaneous funds appropriated to  
25 the division claims made by inmates housed in facilities operated  
26 by the department for property lost or damaged by the division. The  
27 department shall maintain a record of all transactions made under

1 this section [~~and shall send a copy of that record to the state~~  
2 ~~auditor at least annually~~]. The record must show the amount of each  
3 claim paid, the identity of each claimant, and the purpose for which  
4 each claim was made. The department may not pay under this section  
5 more than \$500 on a claim.

6 SECTION 9. Section 508.036(b), Government Code, is amended  
7 to read as follows:

8 (b) The board shall:

9 (1) adopt rules relating to the decision-making  
10 processes used by the board and parole panels;

11 (2) prepare information of public interest describing  
12 the functions of the board and make the information available to the  
13 public and appropriate state agencies;

14 (3) comply with federal and state laws related to  
15 program and facility accessibility;

16 [~~(4) prepare annually a complete and detailed written~~  
17 ~~report that meets the reporting requirements applicable to~~  
18 ~~financial reporting provided in the General Appropriations Act and~~  
19 ~~accounts for all funds received and disbursed by the board during~~  
20 ~~the preceding fiscal year,~~] and

21 (4) [(5)] develop and implement policies that provide  
22 the public with a reasonable opportunity to appear before the board  
23 and to speak on any issue under the jurisdiction of the board, with  
24 the exception of an individual parole determination or clemency  
25 recommendation.

26 SECTION 10. Section 751.005(b), Government Code, is amended  
27 to read as follows:

1 (b) The office shall:

2 (1) help coordinate state and federal programs dealing  
3 with the same subject;

4 (2) inform the governor and the legislature of federal  
5 programs that may be carried out in the state or that affect state  
6 programs;

7 (3) provide federal agencies and the United States  
8 Congress with information about state policy and state conditions  
9 on matters that concern the federal government;

10 (4) provide the legislature with information useful in  
11 measuring the effect of federal actions on the state and local  
12 programs;

13 (5) prepare and supply to the governor and all members  
14 of the legislature an annual report that:

15 (A) describes the office's operations;

16 (B) contains the office's priorities and  
17 strategies for the following year;

18 (C) details projects and legislation pursued by  
19 the office;

20 (D) discusses issues in the following  
21 congressional session of interest to this state; and

22 (E) contains an analysis of federal funds  
23 availability and formulae;

24 (6) ~~[prepare annually a complete and detailed written~~  
25 ~~report accounting for all funds received and disbursed by the~~  
26 ~~office during the preceding fiscal year;~~

27 ~~[(7)]~~ notify the governor, the lieutenant governor,

1 the speaker of the house of representatives, and the legislative  
2 standing committees in each house with primary jurisdiction over  
3 intergovernmental affairs of federal activities relevant to the  
4 state and inform the Texas congressional delegation of state  
5 activities;

6 (7) [~~(8)~~] conduct frequent conference calls with the  
7 lieutenant governor and the speaker of the house of representatives  
8 or their designees regarding state-federal relations and programs;

9 (8) [~~(9)~~] respond to requests for information from the  
10 legislature, the United States Congress, and federal agencies;

11 (9) [~~(10)~~] coordinate with the Legislative Budget  
12 Board regarding the effects of federal funding on the state budget;  
13 and

14 (10) [~~(11)~~] report to, and on request send appropriate  
15 representatives to appear before, the legislative standing  
16 committees in each house with primary jurisdiction over  
17 intergovernmental affairs.

18 SECTION 11. Section 22.005(d), Human Resources Code, is  
19 amended to read as follows:

20 (d) With the approval of the comptroller, the department  
21 shall establish an internal accounting system, and the department's  
22 expenditures shall be allocated to the various funds according to  
23 the system. At the end of each fiscal biennium the department shall  
24 return [~~report to the comptroller~~] the amount of the unencumbered  
25 balances in each of the department's operating funds that belongs  
26 to the children's assistance fund and the medical assistance fund[  
27 ~~and those unencumbered balances shall be returned~~] to the

1 appropriate special fund.

2 SECTION 12. Section 131.005, Human Resources Code, is  
3 amended to read as follows:

4 Sec. 131.005. REPORTING AND ACCOUNTING SYSTEM. Each health  
5 and human services agency that provides, purchases, or otherwise  
6 funds transportation services for clients shall:

7 (1) comply with the standardized system of reporting  
8 and accounting established by the office under Section  
9 131.003(a)(3); and

10 (2) make any changes to agency data collection systems  
11 that are necessary to enable the agency to comply with the  
12 standardized system[~~, and~~

13 [~~(3) not later than August 31 of each year, submit to~~  
14 ~~the office a report relating to transportation services that~~  
15 ~~complies with the standardized system].~~

16 SECTION 13. Section 131.006, Human Resources Code, is  
17 amended to read as follows:

18 Sec. 131.006. IMPLEMENTATION OF STATEWIDE COORDINATION  
19 PLAN. In order to implement the statewide coordination plan  
20 created by the office under Section 131.003(a)(2), the office  
21 shall:

22 (1) review rules, policies, contracts, grants, and  
23 funding mechanisms relating to transportation services of each  
24 health and human services agency that provides, purchases, or  
25 otherwise funds transportation services for clients to determine  
26 whether the rules, policies, contracts, grants, and funding  
27 mechanisms are consistent with the plan; and



1           (2) make recommendations for revisions to rules,  
2 policies, contracts, grants, and funding mechanisms determined  
3 under Subdivision (1) to be inconsistent with the plan~~[, and~~  
4           ~~[(3) not later than September 30 of each even-numbered~~  
5 ~~year, submit a report by electronic mail and by hand delivery to the~~  
6 ~~governor, the secretary of state, the Legislative Budget Board, and~~  
7 ~~the commissioner relating to the results of the review conducted by~~  
8 ~~the office under this section].~~

9           SECTION 14. Section 1660.055(b), Insurance Code, is amended  
10 to read as follows:

11           (b) The advisory committee shall:

12           (1) recommend specific provisions that could be  
13 included in a department-issued request for information relating to  
14 electronic data exchange, including identification card programs;  
15 and

16           (2) provide those recommendations to the commissioner  
17 not later than four months after the date on which the committee is  
18 appointed~~[, and~~

19           ~~[(3) issue a final report to the commissioner~~  
20 ~~containing the committee's recommendations for implementation by~~  
21 ~~December 1, 2008].~~

22           SECTION 15. Section 161.173(c), Natural Resources Code, is  
23 amended to read as follows:

24           (c) The Veterans Land Board shall not invest more than \$50  
25 million in revenue bonds issued under Chapter 164 ~~[and shall report~~  
26 ~~to the governor, the senate committee on finance, and the house of~~  
27 ~~representatives committee on appropriations on or before December~~

1 ~~1, 2000, regarding the status of its investment in such revenue~~  
2 ~~bonds and all related debt service].~~

3 SECTION 16. Section 201.053(b), Transportation Code, is  
4 amended to read as follows:

5 (b) The chair shall:

6 (1) preside over commission meetings, make rulings on  
7 motions and points of order, and determine the order of business;

8 (2) represent the department in dealing with the  
9 governor;

10 (3) ~~[report to the governor on the state of affairs of~~  
11 ~~the department at least quarterly];~~

12 [~~(4)~~] report to the commission the governor's  
13 suggestions for department operations;

14 (4) ~~[(5) report to the governor on efforts, including~~  
15 ~~legislative requirements, to maximize the efficiency of department~~  
16 ~~operations through the use of private enterprise];~~

17 [~~(6) periodically review the department's~~  
18 ~~organizational structure and submit recommendations for structural~~  
19 ~~changes to the governor, the commission, and the Legislative Budget~~  
20 ~~Board];~~

21 [~~(7)~~] designate one or more employees of the  
22 department as a civil rights division of the department and receive  
23 regular reports from the division on the department's efforts to  
24 comply with civil rights legislation and administrative rules;

25 (5) [~~(8)~~] create subcommittees, appoint commissioners  
26 to subcommittees, and receive the reports of subcommittees to the  
27 commission as a whole;

1           (6) [~~(9)~~] appoint a commissioner to act in the chair's  
2 absence; and

3           (7) [~~(10)~~] serve as the departmental liaison with the  
4 governor and the Office of State-Federal Relations to maximize  
5 federal funding for transportation.

6           SECTION 17. The following provisions are repealed:

- 7           (1) Section 12.014, Agriculture Code;
- 8           (2) Section 12.029(c), Agriculture Code;
- 9           (3) Section 12.038(f), Agriculture Code;
- 10          (4) Section 131.005(b), Agriculture Code;
- 11          (5) Section 161.032, Agriculture Code;
- 12          (6) Section 5.09, Alcoholic Beverage Code;
- 13          (7) Section 7.055(b)(8), Education Code;
- 14          (8) Section 21.357(d), Education Code;
- 15          (9) Section 29.087(m), Education Code;
- 16          (10) Section 39.335, Education Code;
- 17          (11) Section 44.042(d), Education Code;
- 18          (12) Section 51.216, Education Code;
- 19          (13) Sections 51.403(b), (c), and (d), Education Code;
- 20          (14) Section 51.404, Education Code;
- 21          (15) Section 51.504, Education Code;
- 22          (16) Section 51.859, Education Code;
- 23          (17) Section 51.917(e), Education Code;
- 24          (18) Section 56.206(c), Education Code;
- 25          (19) Section 61.051(r), Education Code;
- 26          (20) Section 61.069, Education Code;
- 27          (21) Section 61.0815, Education Code;

- 1           (22) Section 61.087(c), Education Code;
- 2           (23) Section 61.806(f), Education Code;
- 3           (24) Sections 61.823(e) and (f), Education Code;
- 4           (25) Section 86.52(m), Education Code;
- 5           (26) Sections 130.0033(d) and (e), Education Code;
- 6           (27) Section 130.152, Education Code;
- 7           (28) Section 143.006, Education Code;
- 8           (29) Section 236.002(e), Family Code;
- 9           (30) Section 320.003, Government Code;
- 10          (31) Section 320.004, Government Code;
- 11          (32) Sections 411.0075(b), (c), and (d), Government  
12 Code;
- 13          (33) Section 411.0097(d), Government Code, as added by  
14 Chapter 693 (S.B. 293), Acts of the 79th Legislature, Regular  
15 Session, 2005;
- 16          (34) Section 411.013(d), Government Code;
- 17          (35) Sections 413.005(e), (f), and (g), Government  
18 Code;
- 19          (36) Section 413.013, Government Code;
- 20          (37) Section 413.015, Government Code;
- 21          (38) Sections 413.016(b), (c), (d), and (e),  
22 Government Code;
- 23          (39) Section 413.022(b), Government Code;
- 24          (40) Section 419.008(e), Government Code;
- 25          (41) Section 419.010, Government Code;
- 26          (42) Section 434.013(b), Government Code;
- 27          (43) Section 441.013(c), Government Code;

- 1 (44) Section 441.154(n), Government Code;
- 2 (45) Section 442.005(d), Government Code;
- 3 (46) Section 442.010(b), Government Code;
- 4 (47) Section 443.0051(c), Government Code;
- 5 (48) Section 443.0135(e), Government Code;
- 6 (49) Section 444.025(h), Government Code;
- 7 (50) Section 448.011, Government Code;
- 8 (51) Section 481.011, Government Code;
- 9 (52) Section 481.168, Government Code;
- 10 (53) Section 492.011, Government Code;
- 11 (54) Section 511.015(b), Government Code;
- 12 (55) Section 531.0243, Government Code;
- 13 (56) Section 531.0273(b), Government Code;
- 14 (57) Section 531.029, Government Code;
- 15 (58) Section 531.110(f), Government Code;
- 16 (59) Section 531.204, Government Code;
- 17 (60) Section 552.274(b), Government Code, as amended
- 18 by Chapters 329 (S.B. 727) and 716 (S.B. 452), Acts of the 79th
- 19 Legislature, Regular Session, 2005;
- 20 (61) Section 751.005(d), Government Code;
- 21 (62) Section 752.006, Government Code;
- 22 (63) Section 782.014, Government Code;
- 23 (64) Section 801.203(b), Government Code;
- 24 (65) Section 1231.086(a), Government Code;
- 25 (66) Section 1232.069, Government Code;
- 26 (67) Section 2054.034(b), Government Code;
- 27 (68) Section 2112.005, Government Code;

- 1 (69) Section 2152.062, Government Code;
- 2 (70) Section 2152.063, Government Code;
- 3 (71) Sections 2161.121(d) and (e), Government Code;
- 4 (72) Section 2171.101(d), Government Code;
- 5 (73) Section 2203.001, Government Code;
- 6 (74) Section 2205.016, Government Code;
- 7 (75) Section 2306.759, Government Code;
- 8 (76) Section 11.017(a), Health and Safety Code;
- 9 (77) Section 62.104(e), Health and Safety Code;
- 10 (78) Section 93.006, Health and Safety Code;
- 11 (79) Section 103.018, Health and Safety Code;
- 12 (80) Section 165.034, Health and Safety Code;
- 13 (81) Section 427.006, Health and Safety Code;
- 14 (82) Section 532.017, Health and Safety Code;
- 15 (83) Section 533.0354(d), Health and Safety Code;
- 16 (84) Section 533.049(b), Health and Safety Code;
- 17 (85) Section 533.050(b), Health and Safety Code;
- 18 (86) Section 691.008(c), Health and Safety Code;
- 19 (87) Section 1001.031, Health and Safety Code;
- 20 (88) Sections 21.011(b) and (c), Human Resources Code;
- 21 (89) Section 31.0325(d), Human Resources Code;
- 22 (90) Section 32.0246(e), Human Resources Code;
- 23 (91) Section 32.055(d), Human Resources Code;
- 24 (92) Section 33.0022, Human Resources Code;
- 25 (93) Section 40.0325(c), Human Resources Code;
- 26 (94) Section 40.0565, Human Resources Code;
- 27 (95) Section 61.033, Human Resources Code;

- 1 (96) Section 73.022(f), Human Resources Code;
- 2 (97) Section 81.006(d), Human Resources Code;
- 3 (98) Section 91.019, Human Resources Code;
- 4 (99) Section 91.053(c), Human Resources Code;
- 5 (100) Sections 101.008(a) and (c), Human Resources
- 6 Code;
- 7 (101) Section 111.021(b), Human Resources Code;
- 8 (102) Section 117.031, Human Resources Code;
- 9 (103) Section 141.024, Human Resources Code;
- 10 (104) Section 141.086(i), Human Resources Code;
- 11 (105) Section 161.031, Human Resources Code;
- 12 (106) Section 402.070, Labor Code;
- 13 (107) Section 409.012(f), Labor Code;
- 14 (108) Section 31.059(c), Natural Resources Code;
- 15 (109) Section 31.060, Natural Resources Code;
- 16 (110) Section 32.024, Natural Resources Code;
- 17 (111) Section 34.0191, Natural Resources Code;
- 18 (112) Section 81.055(a), Natural Resources Code;
- 19 (113) Section 161.027, Natural Resources Code;
- 20 (114) Section 161.131(b), Natural Resources Code;
- 21 (115) Section 161.132(b), Natural Resources Code;
- 22 (116) Section 153.055, Occupations Code;
- 23 (117) Section 202.159, Occupations Code;
- 24 (118) Sections 203.154(a) and (b), Occupations Code;
- 25 (119) Section 205.105, Occupations Code;
- 26 (120) Section 206.102, Occupations Code;
- 27 (121) Section 301.160(j), Occupations Code;

- 1 (122) Section 301.165, Occupations Code;
- 2 (123) Section 351.164, Occupations Code;
- 3 (124) Section 451.107, Occupations Code;
- 4 (125) Section 452.159(a), Occupations Code;
- 5 (126) Section 453.109, Occupations Code;
- 6 (127) Section 501.159, Occupations Code;
- 7 (128) Section 502.160, Occupations Code;
- 8 (129) Section 505.208, Occupations Code;
- 9 (130) Section 554.013, Occupations Code;
- 10 (131) Section 605.156, Occupations Code;
- 11 (132) Section 651.161, Occupations Code;
- 12 (133) Sections 651.162(a) and (c), Occupations Code;
- 13 (134) Section 701.158, Occupations Code;
- 14 (135) Section 901.164, Occupations Code;
- 15 (136) Section 1701.158, Occupations Code;
- 16 (137) Section 12.021, Parks and Wildlife Code;
- 17 (138) Section 201.107, Transportation Code;
- 18 (139) Section 201.403(c), Transportation Code;
- 19 (140) Section 13.063(a), Utilities Code;
- 20 (141) Section 39.902(b), Utilities Code;
- 21 (142) Section 163.002, Utilities Code;
- 22 (143) Section 5.178(d), Water Code;
- 23 (144) Section 26.561(a), Water Code;
- 24 (145) Section 2.17, Texas Racing Act (Article 179e,  
25 Vernon's Texas Civil Statutes); and
- 26 (146) Sections 2.19(c), (d), and (e), Texas Racing Act  
27 (Article 179e, Vernon's Texas Civil Statutes).



1           SECTION 18. This Act takes effect immediately if it  
2 receives a vote of two-thirds of all the members elected to each  
3 house, as provided by Section 39, Article III, Texas Constitution.  
4 If this Act does not receive the vote necessary for immediate  
5 effect, this Act takes effect September 1, 2011.