

Suspending limitations on conference committee
jurisdiction, S.B. No. 652 (Hegar/Bonnen)

By: Bonnen

H.R. No. 2647

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, 82nd Legislature, Regular Session, 2011, That House Rule 13,
3 Section 9(a), be suspended in part as provided by House Rule 13,
4 Section 9(f), to enable the conference committee appointed to
5 resolve the differences on Senate Bill 652 (governmental and
6 certain quasi-governmental entities subject to the sunset review
7 process) to consider and take action on the following matter:

8 House Rule 13, Section 9(a)(4), is suspended to permit the
9 committee to add text on matters not included in either the house or
10 senate version of the bill by adding the following:

11 SECTION 1.07. RAILROAD COMMISSION OF TEXAS. (a) Section
12 81.01001, Natural Resources Code, is amended to read as follows:

13 Sec. 81.01001. SUNSET PROVISION. The Railroad Commission
14 of Texas is subject to Chapter 325, Government Code (Texas Sunset
15 Act). Unless continued in existence as provided by that chapter,
16 the commission is abolished September 1, 2013 [~~2011~~].

17 (b) This section takes effect only if the 82nd Legislature,
18 Regular Session, 2011, does not enact other legislation that
19 becomes law and that amends Section 81.01001, Natural Resources
20 Code, to extend the sunset date of the Railroad Commission of Texas.
21 If the 82nd Legislature, Regular Session, 2011, enacts legislation
22 of that kind, this section has no effect.

23 (c) The review of the Railroad Commission of Texas by the
24 Sunset Advisory Commission in preparation for the work of the 83rd

1 Legislature in Regular Session is not limited to the
2 appropriateness of recommendations made by the commission to the
3 82nd Legislature. In the commission's report to the 83rd
4 Legislature, the commission may include any recommendations it
5 considers appropriate.

6 SECTION 1.08. PUBLIC UTILITY COMMISSION OF TEXAS. (a)
7 Section 12.005, Utilities Code, is amended to read as follows:

8 Sec. 12.005. APPLICATION OF SUNSET ACT. The Public Utility
9 Commission of Texas is subject to Chapter 325, Government Code
10 (Texas Sunset Act). Unless continued in existence as provided by
11 that chapter or by Chapter 39, the commission is abolished and this
12 title expires September 1, 2013 [~~2011~~].

13 (b) This section takes effect only if the 82nd Legislature,
14 Regular Session, 2011, does not enact other legislation that
15 becomes law and that amends Section 12.005, Utilities Code, to
16 extend the sunset date of the Public Utility Commission of Texas. If
17 the 82nd Legislature, Regular Session, 2011, enacts legislation of
18 that kind, this section has no effect.

19 SECTION 1.09. ELECTRIC RELIABILITY COUNCIL OF TEXAS. (a)
20 Section 39.151, Utilities Code, is amended by adding Subsections
21 (n) and (n-1) to read as follows:

22 (n) An independent organization certified by the commission
23 under this section is subject to review under Chapter 325,
24 Government Code (Texas Sunset Act), but is not abolished under that
25 chapter. The independent organization shall be reviewed during
26 the periods in which the Public Utility Commission of Texas is
27 reviewed.

1 (n-1) Notwithstanding Subsection (n), an independent
2 organization certified by the commission under this section is not
3 subject to review in preparation for the work of the 83rd
4 Legislature in Regular Session. This subsection expires September
5 1, 2013.

6 (b) This section takes effect only if the 82nd Legislature,
7 Regular Session, 2011, does not enact other legislation that
8 becomes law and that amends Section 39.151, Utilities Code, to
9 subject an independent organization certified by the Public Utility
10 Commission of Texas under that section to sunset review during the
11 periods in which the commission is reviewed. If the 82nd
12 Legislature, Regular Session, 2011, enacts legislation of that
13 kind, this section has no effect.

14 SECTION 1.10. PORT OF HOUSTON AUTHORITY. Chapter 97, Acts
15 of the 40th Legislature, 1st Called Session, 1927, is amended by
16 adding Section 9 to read as follows:

17 Sec. 9. SUNSET REVIEW. (a) The Port of Houston Authority
18 is subject to review under Chapter 325, Government Code (Texas
19 Sunset Act), as if it were a state agency but may not be abolished
20 under that chapter. The review shall be conducted as if the
21 authority were scheduled to be abolished September 1, 2013.

22 (b) The reviews must assess the authority's governance,
23 management, and operating structure, and the authority's
24 compliance with legislative requirements.

25 (c) The authority shall pay the cost incurred by the Sunset
26 Advisory Commission in performing a review of the authority under
27 this section. The Sunset Advisory Commission shall determine the

1 cost, and the authority shall pay the amount promptly on receipt of
2 a statement from the Sunset Advisory Commission detailing the cost.

3 (d) This section expires September 1, 2013.

4 SECTION 2.01. REGIONAL EDUCATION SERVICE CENTERS.

5 Subchapter A, Chapter 8, Education Code, is amended by adding
6 Section 8.010 to read as follows:

7 Sec. 8.010. SUNSET PROVISION. Regional education service
8 centers are subject to Chapter 325, Government Code (Texas Sunset
9 Act). Unless continued in existence as provided by that chapter,
10 the centers are abolished and this chapter expires September 1,
11 2015.

12 SECTION 6.02. OFFICE OF PUBLIC UTILITY COUNSEL. Section
13 13.002, Utilities Code, is amended to read as follows:

14 Sec. 13.002. APPLICATION OF SUNSET ACT. The Office of
15 Public Utility Counsel is subject to Chapter 325, Government Code
16 (Texas Sunset Act). Unless continued in existence as provided by
17 that chapter, the office is abolished and this chapter expires
18 September 1, 2023 [~~2011~~].

19 ARTICLE 8. SUNSET ADVISORY COMMISSION

20 SECTION 8.01. REVIEW OF AGENCIES REVIEWED FOR THE 82nd
21 LEGISLATURE. For a state agency that was reviewed by the Sunset
22 Advisory Commission in preparation for the work of the 82nd
23 Legislature in Regular Session and the abolition date of which was
24 extended to 2013, the commission, unless expressly provided
25 otherwise, shall limit its review of the agency in preparation for
26 the work of the 83rd Legislature in Regular Session to the
27 appropriateness of recommendations made by the commission to the

1 82nd Legislature. In the commission's report to the 83rd
2 Legislature, the commission may include any recommendations it
3 considers appropriate. This section expires September 1, 2013.

4 Explanation: This addition is necessary to change the sunset
5 review date for various state agencies, to subject the Electric
6 Reliability Council of Texas to sunset review during the periods in
7 which the Public Utility Commission of Texas is reviewed, to
8 subject the Port of Houston Authority and regional education
9 service centers to sunset review, and to limit the review of state
10 agencies that were reviewed by the Sunset Advisory Commission in
11 preparation for the work of the 82nd Legislature in Regular
12 Session.