

By: Watson

S.B. No. 698

A BILL TO BE ENTITLED

AN ACT

relating to the analysis of certain legislative measures making an appropriation or affecting a state tax or fee.

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

SECTION 1. Chapter 322, Government Code, is amended by adding Sections 322.0085 and 322.0086 to read as follows:

Sec. 322.0085. IMPACT ANALYSIS OF REDUCTIONS IN GENERAL REVENUE APPROPRIATIONS. (a) In this section, "appropriations bill" means any bill that includes one or more appropriations of state revenue. The term includes a bill that proposes a change in the amount of an appropriation made by another legislative measure.

(b) As soon as practicable after an appropriations bill is filed in either house of the legislature, the director shall prepare an appropriations impact statement for the bill that identifies each proposed appropriation that would:

(1) result in a total amount of general revenue appropriations available for any purpose for the succeeding fiscal biennium that is less than the total amount of general revenue appropriations available for the same purpose for the current fiscal biennium, after considering other appropriations from general revenue for the same purpose and after adjusting, in a manner determined by the director, the total amount of appropriations for that purpose for the current biennium to reflect the state's population growth and monetary inflation during the

1 current biennium; or

2 (2) result in a reduction in the total amount of
3 general revenue appropriations available for any purpose for the
4 current fiscal biennium.

5 (c) For each appropriation that the director determines
6 will result in a comparative reduction in the total amount of
7 general revenue appropriations available for a purpose, the
8 director shall:

9 (1) determine and report in the statement the
10 estimated amount of the reduction;

11 (2) include in the statement a description of the
12 services and functions for which the appropriation may be used and
13 of how those services and functions may be affected by the
14 reduction; and

15 (3) identify in the statement any other sources of
16 funding, including increases in fees or other charges, that
17 lawfully could be used for that purpose and made available to
18 supplement the reduced appropriation.

19 (d) As soon as practicable after a bill to which this
20 section applies is reported from committee, engrossed by the house
21 of origin, reported to the house of origin with amendments by the
22 other house, or reported to either house by a conference committee,
23 the director shall revise the statement required by this section to
24 reflect any changes to the bill made by the applicable committee,
25 house, or conference committee.

26 (e) The director, by e-mail or other method the director
27 determines appropriate, shall make each impact statement required

1 by this section available to each member of the legislature as soon
2 as practicable after the statement is prepared.

3 Sec. 322.0086. IMPACT ANALYSIS OF STATE TAX AND FEE BILLS.

4 (a) In this section:

5 (1) "Tax bill" means a bill that proposes to:

6 (A) impose a new state tax; or

7 (B) change the rate of a state tax.

8 (2) "Fee bill" means a bill that proposes to:

9 (A) impose a new state fee; or

10 (B) change the amount of a state fee.

11 (3) "State fee" means a fee all or part of the revenue
12 from which is deposited to the credit of the state treasury.

13 (4) "State tax" means a tax all or part of the revenue
14 from which is deposited to the credit of the state treasury.

15 (b) As soon as practicable after a tax bill or fee bill is
16 filed in either house of the legislature, the director shall
17 prepare an impact statement for the bill that:

18 (1) states the amount of each increase or reduction in
19 state revenue estimated to result from the changes in law made by
20 the bill;

21 (2) describes the services and functions for which any
22 increase in state revenue identified under Subdivision (1) may be
23 used and describes the projected effect of the increased revenue on
24 those services and functions; and

25 (3) for any reduction in state revenue identified
26 under Subdivision (1), describes the services and functions for
27 which the affected state revenue is used and describes the

1 projected effect of the reduction on those services and functions.

2 (c) As soon as practicable after a bill to which this
3 section applies is reported from committee, engrossed by the house
4 of origin, reported to the house of origin with amendments by the
5 other house, or reported to either house by a conference committee,
6 the director shall revise the statement required by this section to
7 reflect any changes to the bill made by the applicable committee,
8 house, or conference committee.

9 (d) The director, by e-mail or other method the director
10 determines appropriate, shall make each impact statement required
11 by this section available to each member of the legislature as soon
12 as practicable after the statement is prepared.

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