

**House Bill 326**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Chapter 325, Government Code, is amended by adding Section 325.0075 to read as follows:

Sec. 325.0075. REPORTING REQUIREMENTS OF AGENCY BEING REVIEWED. Before September 1 of the odd-numbered year before the year in which a state agency subject to this chapter is abolished, the agency shall submit to the commission, the governor, the lieutenant governor, and each member of the legislature a report that:

- (1) lists each report that the agency is required by a statute to prepare; and
- (2) evaluates the need for each report listed in Subdivision (1) based on whether factors or conditions have changed since the date the statutory requirement to prepare the report was enacted.

SECTION 2. Section 320.004, Government Code, is amended to read as follows:

Sec. 320.004. REVIEW OF UNFUNDED MANDATES. (a) The Sunset Advisory Commission in performing a review of a state agency whose functions affect political subdivisions may ~~[Before September 1 of the even-numbered year before the third anniversary of the date of enactment of a mandate identified by the interagency work group under Section 320.003, the interagency work group shall]:~~

- (1) review the legislative history of any [the] mandate related to the functions of the state agency being reviewed;
- (2) conduct an evaluation on the benefits of the mandate and the costs of the mandate on affected political subdivisions; and
- (3) include any information gathered under this section in the report required under Section 325.010 ~~[present a written~~

SENATE VERSION (CS)

SECTION 1. Same as House version.

**No equivalent provision.**

CONFERENCE

**House Bill 326**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

~~report to the legislature and the governor on the interagency work group's findings].~~

(b) During a review of a state agency, a political subdivision affected by a mandate related to the functions of the agency may present information to the commission regarding the mandate and costs associated with the mandate and may recommend changes to current law that may provide more efficient use of resources.

(c) A political subdivision may periodically review each mandate to which the political subdivision is subject and recommend changes for making an activity or measure more efficient, including elimination of [the regular session immediately following the issuance of a report under Subsection (a), the legislature by law may continue the mandate for a period not to exceed three years, by law may repeal the mandate, or may take no action on] the mandate, to the governor, the lieutenant governor, the speaker of the house of representatives, the Senate Finance Committee, the House Appropriations Committee, and the Sunset Advisory Commission.

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

SENATE VERSION (CS)

SECTION 2. Same as House version.

CONFERENCE