

BILL ANALYSIS

Senate Research Center

H.B. 1675
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Transportation
5/13/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

State agencies undergo periodic review by the Sunset Advisory Commission (commission). The legislature frequently changes the review schedule for certain agencies to balance the workload of the commission and to better align the reviews of agencies by grouping them based on subject matter. H.B. 1675 serves this purpose of better aligning and grouping agencies set for Sunset review in upcoming biennia. The bill also adds three entities to the Sunset review schedule.

H.B. 1675 amends current law relating to governmental entities subject to the sunset review process.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

Article 1. ENTITIES GIVEN 2015 SUNSET DATE

SECTION 1.01. UNIVERSITY INTERSCHOLASTIC LEAGUE. Amends Section 33.083, Education Code, by adding Subsection (e), as follows:

(e) Provides that the University Interscholastic League (UIL) is subject to review under Chapter 325 (Sunset Law), Government Code (Texas Sunset Act), but is not abolished under that chapter. Requires UIL to be reviewed during the period in which state agencies abolished in 2015 are reviewed. Requires UIL to pay the costs incurred by the Texas Sunset Advisory Commission (Sunset) in performing the review under this subsection. Requires Sunset to determine the costs of the review performed under this subsection, and requires UIL to pay the amount of those costs promptly on receipt of a statement from Sunset regarding those costs. Provides that this subsection expires September 1, 2015.

SECTION 1.02. CLEAR LAKE CITY WATER AUTHORITY. Amends Chapter 101, Acts of the 58th Legislature, Regular Session, 1963, by adding Section 1A, as follows:

Sec. 1A. (a) Provides that the Clear Lake City Water Authority (authority) is subject to review under Chapter 325, Government Code, as if it were a state agency but is prohibited from being abolished under that chapter. Requires that the review be conducted as if the authority were scheduled to be abolished September 1, 2015.

(b) Requires that the review assess the authority's governance, management, and operating structure and the authority's compliance with legislative requirements.

(c) Requires the authority to pay the costs incurred by Sunset in performing a review of the authority under this section. Requires Sunset to determine the costs, and requires the authority to pay the amount promptly on receipt of a statement from Sunset detailing the costs.

(d) Provides that this section expires September 1, 2015.

SECTION 1.03. SULPHUR RIVER BASIN AUTHORITY. Amends Chapter 3, Acts of the 69th Legislature, 1st Called Session, 1985, by adding Section 1A, as follows:

Sec. 1A. APPLICATION OF SUNSET ACT. (a) Provides that the Sulphur River Basin Authority (authority) is subject to review under Chapter 325, Government Code, as if it were a state agency but is prohibited from being abolished under that chapter. Requires that the review be conducted as if the authority were scheduled to be abolished September 1, 2015.

(b) Requires that the review assess the authority's governance, management, and operating structure and the authority's compliance with legislative requirements.

(c) Requires the authority to pay the costs incurred by Sunset in performing a review of the authority under this section. Requires Sunset to determine the costs, and requires the authority to pay the amount promptly on receipt of a statement from Sunset detailing the costs.

(d) Provides that this section expires September 1, 2015.

SECTION 1.04. TEXAS BOARD OF CHIROPRACTIC EXAMINERS. Amends Section 201.004, Occupations Code, as follows:

Sec. 201.004. APPLICATION OF SUNSET ACT. (a) Creates this subsection from existing text and provides that the Texas Board of Chiropractic Examiners (TBCE) is subject to Chapter 325, Government Code. Provides that, unless continued in existence as provided by that chapter, TBCE is abolished and this chapter expires September 1, 2015, rather than September 1, 2017.

(b) Requires TBCE to pay the costs incurred by Sunset in performing a review of TBCE under this section. Requires Sunset to determine the costs, and requires TBCE to pay the amount promptly on receipt of a statement from Sunset detailing the costs.

ARTICLE 2. ENTITIES GIVEN 2017 SUNSET DATE

SECTION 2.01. TEXAS DEPARTMENT OF TRANSPORTATION. Amends Section 201.204, Transportation Code, as follows:

Sec. 201.204. SUNSET PROVISION. Provides that the Texas Department of Transportation (TxDOT) is subject to Chapter 325, Government Code. Provides that, unless continued in existence as provided by that chapter, TxDOT is abolished September 1, 2017, rather than September 1, 2015.

ARTICLE 3. ENTITIES GIVEN 2019 SUNSET DATE

SECTION 3.01. REGIONAL EDUCATION SERVICE CENTERS. Amends Section 8.010, Education Code, as follows:

Sec. 8.010. SUNSET PROVISION. Provides that regional education service centers are subject to Chapter 325, Government Code. Provides that, unless continued in existence as provided by that chapter, the centers are abolished and this chapter expires September 1, 2019, rather than September 1, 2015.

SECTION 3.02. TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY. Amends Section 901.006, Occupations Code, as follows:

Sec. 901.006. APPLICATION OF SUNSET ACT. Provides that the Texas State Board of Public Accountancy (TSBPA) is subject to Chapter 325, Government Code. Provides

that, unless continued in existence as provided by that chapter, TSBPA is abolished and this chapter expires September 1, 2019, rather than September 1, 2015.

ARTICLE 4. ENTITIES GIVEN 2021 SUNSET DATE

SECTION 4.01. TEXAS INVASIVE SPECIES COORDINATING COMMITTEE. Amends Section 776.007(a), Government code, as follows:

(a) Provides that the Texas Invasive Species Coordinating Committee (committee) is subject to Chapter 325, Government Code. Provides that, unless continued in existence as provided by that chapter, the committee is abolished and this chapter expires September 1, 2021, rather than on the date on which that agency is subject to abolishment. Deletes existing text requiring the committee to be reviewed during the periods in which the State Soil and Water Conservation Board is reviewed.

SECTION 4.02. DIVISION OF WORKERS' COMPENSATION OF TEXAS DEPARTMENT OF INSURANCE. Amends Section 31.004(b), Insurance Code, as follows:

(b) Provides that, unless continued as provided by Chapter 325, Government Code, the duties of the division of workers' compensation of the Texas Department of Insurance under Title 5 (Workers' Compensation), Labor Code, expire September 1, 2021, rather than September 1, 2017, or another date designated by the legislature.

SECTION 4.03. OFFICE OF INJURED EMPLOYEE COUNSEL. Amends Section 404.003, Labor Code, as follows:

Sec. 404.003. SUNSET PROVISION. Provides that the office of injured employee counsel (office) is subject to Chapter 325, Government Code. Provides that, unless continued in existence as provided by that chapter, the office is abolished and this chapter expires September 1, 2021, rather than September 1, 2017.

ARTICLE 5. ENTITIES REMOVED FROM SPECIFIC SUNSET REVIEW

SECTION 5.01. EARLY CHILDHOOD HEALTH AND NUTRITION INTERAGENCY COUNCIL. Amends Section 116.002, Health and Safety Code, as follows:

Sec. 116.002. New heading: REVIEW BY SUNSET ADVISORY COMMISSION. Requires Sunset to review the Early Childhood Health and Nutrition Interagency Council (council) as part of its periodic review of the Department of Agriculture under Chapter 325, Government Code. Deletes existing text providing that, unless continued in existence as provided by that chapter, the council is abolished and this chapter expires September 1, 2019. Makes nonsubstantive changes.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. EFFECTIVE DATE. Effective date: upon passage or September 1, 2013.