

BILL ANALYSIS

Senate Research Center

S.B. 59
By: Nelson; Paxton
Government Organization
7/16/2013
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of this bill is to ensure that limited state resources are being committed to current state priorities rather than to reporting requirements that no longer serve their intended purpose or are redundant of other reporting requirements. Specifically this legislation streamlines agency reporting requirements by repealing obsolete reports, reducing the frequency of some reports, and redirecting some reports to relevant recipients.

S.B. 59 amends current law relating to required reports and other documents prepared by state agencies and institutions of higher education.

[**Note:** While the statutory reference in this bill is to the Texas Department of Mental Health and Mental Retardation (TXMHMR) and the Texas Department of Human Services (TDHS), the following amendments affect the Department of Assistive and Rehabilitative Services and the Health and Human Services Commission, respectively, as the successor agencies to TXMHMR and TDHS.]

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Information Resources in SECTION 49 (Section 2054.1211, Government Code) of this bill.

Rulemaking authority previously granted to the Texas Transportation Commission is modified in SECTION 93 (Section 456.008, Transportation Code) of this bill.

Rulemaking authority previously granted to the Health and Human Services Commission is rescinded in SECTION 99 (Section 531.042, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 15.006, Agriculture Code, as follows:

Sec. 15.006. New heading: BIENNIAL REPORT. Requires the Texas Department of Agriculture (TDA) to prepare a biennial report, rather than requiring TDA and the Texas Department of Health jointly to prepare an annual report, concerning the special nutrition program and submit it to the governor, lieutenant governor, and speaker of the house of representatives.

SECTION 2. Amends Section 102.167(e), Agriculture Code, to require TDA, not later than December 1, rather than the 30th day, before the first day of each regular session of the legislature, to submit to the governor a full report of transactions under this subchapter (Citrus Marketing Agreements and Licenses) during the preceding biennium.

SECTION 3. Amends Section 201.028, Agriculture Code, as follows:

Sec. 201.028. New heading: ANNUAL REPORT. Requires the Texas State Soil and Water Conservation Board (SWCB) to prepare and deliver to the governor, lieutenant governor, and speaker of the house of representatives not later than January 1 of each

year, rather than not later than January 1 and July 1 of each year, a report relating to the status of the budget areas of responsibility assigned to SWCB.

SECTION 4. Amends Article 59.11, Code of Criminal Procedure, to change a reference to the State Aircraft Pooling Board to the Texas Department of Transportation (TxDOT) and to make a nonsubstantive change.

SECTION 5. Amends Article 60.02(j), Code of Criminal Procedure, to delete existing text requiring the Department of Public Safety of the State of Texas (DPS) to report to the state auditor on DPS's progress in implementing the examining entity's recommendations.

SECTION 6. Amends Section 32.157(a), Education Code, to change a reference from the comprehensive annual report required under Section 39.332 (Comprehensive Annual Report), Education Code, that covers the 2012-2013 school year, to a comprehensive biennial report required under Section 39.332 that includes that school year.

SECTION 7. Amends Section 39.027(e), Education Code, to change a reference to the comprehensive annual report under Section 39.332 to a comprehensive biennial report under Section 39.332.

SECTION 8. Amends the heading to Section 39.332, Education Code, to read as follows:

Sec. 39.332. COMPREHENSIVE BIENNIAL REPORT.

SECTION 9. Amends Section 39.332(a), Education Code, to require the Texas Education Agency (TEA) to prepare, not later than December 1 of each even-numbered year, rather than annually, a comprehensive report covering the two preceding school years, rather than the preceding school year, and containing the information provided in Subsection (b) (relating to the contents of the report) and deliver it to certain legislative entities.

SECTION 10. Amends Section 39.333, Education Code, to require TEA, as part of the comprehensive biennial report under Section 39.332, to submit a regional and district level report covering the preceding two school years and containing certain information, rather than requiring TEA to prepare and deliver to the governor, the lieutenant governor, the speaker of the house of representatives, each member of the legislature, the Legislative Budget Board (LBB), and the clerks of the standing committees of the senate and house of representatives with primary jurisdiction over the public school system a regional and district level report covering the preceding two school years and containing certain information.

SECTION 11. Amends Section 51.406, Education Code, by amending Subsection (c) and adding Subsection (d), as follows:

(c) Provides that a rule or policy of a state agency, including the Texas Higher Education Coordinating Board (THECB), in effect on June 1, 2011, that requires reporting by a university system or an institution of higher education has no effect on or after September 1, 2013, unless the rule or policy is affirmatively and formally readopted before that date by formal administrative rule published in the Texas Register and adopted in compliance with Chapter 2001 (Administrative Procedure), Government Code. Provides that this subsection does not apply to:

(1)-(2) Makes no change to these subdivisions;

(3) a report required under any of the following provisions, rather than any of the following laws:

(A) Article 59.06(g)(1) (relating to certain law enforcement agencies and attorneys being required to account for certain items in an audit), Code of Criminal Procedure;

(B) Makes a nonsubstantive change;

(C) Section 51.0051 (Annual Operating Budgets);

(D)-(I) Makes nonsubstantive changes;

(J) Section 62.098 (Annual Report);

(K) Section 411.187(b) (relating to requiring an officer to prepare an affidavit on a form stating the reason for the suspension of a license, the submission of that form to the appropriate division, and the requirement that the officer send a copy of the form and attachments to the license holder), Government Code;

(L) Subchapter C (Coverage for State Employees), Chapter 606 (Social Security), Government Code;

(M) Subchapter E (Collection of Membership Fees and Contributions), Chapter 815 (Administration), Government Code; or

(N) Chapter 1551 (Texas Employees Group Benefits Act), Insurance Code.

(d) Provides that this section does not apply to a request for information by the state auditor.

SECTION 12. Amends Section 51.752(g), Education Code, to require the educational economic policy committee, not later than December 1 of each year, to report to LBB, the governor, the State Board of Education, THECB, and the legislature, rather than requiring the committee to report to those entities at least once a year and to the legislature before the convening of each regular session.

SECTION 13. Amends Section 54.633(j), Education Code, to delete existing text requiring the Prepaid Higher Education Tuition Board (board) to submit the report of an audit of the direct-support organization authorized under Section 54.633(e) to the state auditor and authorizing the state auditor to require the direct-support organization or independent certified public accountant to provide additional information relating to the operation of the direct-support organization.

SECTION 14. Amends Sections 54.642(a) and (c), Education Code, as follows:

(a) Deletes existing text requiring the board, not later than December 1 of each year, to submit to the state auditor a report containing certain financial information.

(c) Requires the board to include in the report described by Subsection (a) complete prepaid tuition contract sales information, including projected enrollments of beneficiaries at institutions of higher education and the information maintained by the board under Section 54.777. Deletes existing text requiring the board, not later than December 1 of each year, to provide certain information to THECB.

SECTION 15. Amends the heading to Section 54.777, Education Code, to read as follows:

Sec. 54.777. INFORMATION REQUIRED FOR ANNUAL REPORT.

SECTION 16. Amends Section 54.777(a), Education Code, to require the board to maintain certain financial information for the purpose of inclusion in the annual report under Section 54.642, rather than requiring the board to submit that information, not later than December 1 of each year, to the governor, lieutenant governor, speaker of the house of representatives, LBB, Legislative Audit Committee, state auditor, and THECB.

SECTION 17. Amends Section 61.051(i), Education Code, to require THECB, not later than November 1 of each even-numbered year, to deliver to the speaker of the house of

representatives a report of the current long-range plan developed under this section (Coordination of Institutions of Public Higher Education), and to make nonsubstantive changes.

SECTION 18. Amends Section 61.063, Education Code, to delete existing text requiring the commissioner of higher education to file with the state auditor on or before October 1 of each year a list of public junior colleges in this state.

SECTION 19. Amends Section 96.652(e), Education Code, as follows:

(e) Requires the Crime Victims' Institute (institute) to prepare a complete annual financial report as prescribed by Section 2101.011 (Financial Information Required of State Agencies), Government Code. Deletes existing text requiring the institute to file annually with the governor and the presiding officer of each house of the legislature a complete and detailed written report accounting for all funds received and disbursed by the institute during the preceding year. Deletes existing text requiring that the form of the annual report and the reporting time be as provided by the General Appropriations Act. Deletes existing text requiring the institute to determine the format and contents of the report and providing that the institute may have copies of the report printed for distribution as it considers appropriate.

SECTION 20. Amends Section 151.008, Education Code, as follows:

Sec. 151.008. New heading: STRATEGIC PLAN. Requires the Border Health Institute to develop a long-term strategic plan that includes a statement of the institute's goals and objectives for:

- (1) providing health care services to persons living in the border region;
- (2) providing health care education to persons living in the border region; and
- (3) conducting research into issues affecting public health in the border region, including research related to:
 - (A) diabetes;
 - (B) health issues of particular concern to persons of Hispanic descent;
 - (C) infectious diseases;
 - (D) emerging infections;
 - (E) trauma care;
 - (F) environmental health; and
 - (G) children's health.

Deletes existing text requiring each member of the Border Health Institute, not later than December 1 of each even-numbered year, to provide a long-term strategic plan for that member to each member of the governing board of the Border Health Institute, each member of the legislature whose district includes any portion of a county where the Border Health Institute is established or operating, and THECB.

SECTION 21. Amends Section 264.608(a), Family Code, to require the attorney general to publish a report containing certain information relating to volunteer advocate programs not later than December 1 of each year, rather than before each regular session of the legislature.

SECTION 22. Amends Section 81.023(b), Government Code, as follows:

(b) Requires the State Bar of Texas (state bar) to file annually with the Texas Supreme Court, the governor, and the presiding officer of each house of the legislature a copy of the annual financial report prepared by the state bar under Section 2101.011, rather than a complete and detailed written report accounting for all funds received and disbursed by the state bar during the preceding fiscal year. Deletes existing text requiring that the annual report be in a certain form and reported in the time provided by the General Appropriations Act.

SECTION 23. Amends Section 82.035(b), Government Code, as follows:

(b) Requires the Board of Law Examiners (BLE) to file annually with the Texas Supreme Court, the governor, and the presiding officer of each house of the legislature a copy of the annual financial report prepared by BLE under Section 2101.011, rather than a complete and detailed written report accounting for all funds received or disbursed by BLE during the preceding fiscal year. Deletes existing text requiring that the annual report be in a certain form and reported in the time provided by the General Appropriations Act.

SECTION 24. Amends Section 322.011(c), Government Code, as follows:

(c) Requires LBB, as soon as practicable after completion of the audit or evaluation under Subsection (a) (relating to audits that provide a comprehensive and continuing review of the programs and operations of each state institution, department, agency, or commission), to make a performance report to the governor and the legislature, rather than requiring LBB to make a performance report to the legislature on the third Tuesday of each January in which the legislature meets in regular session.

SECTION 25. Amends Section 324.008(d), Government Code, to require the governing body of a state agency, as defined by Sections 2151.002(1) (relating to a state agency being a department, commission, board, office, or other agency in the executive branch of state government created by the state constitution or state statute) and (3) (relating to a state agency being a university system of an institution of higher education except a public junior college), rather than Sections 2151.002(2)(A) (relating to a state agency being a department, commission, board, office, or other agency in the executive branch of state government created by the state constitution or state statute) and (C) (relating to a state agency being a university system of an institution of higher education except a public junior college), to deliver to the Texas State Library and Archives Commission and the Legislative Reference Library a certified copy of the minutes and any corrections to the minutes of any meeting of the governing body immediately after transcription.

SECTION 26. Amends Section 403.021(b), Government Code, to delete existing text requiring a state agency that expends appropriated funds to report payables and binding encumbrances for all appropriation years annually to the state auditor no later than October 30 of each year.

SECTION 27. Amends Section 403.1041(g), Government Code, to delete existing text requiring the comptroller of public accounts of the State of Texas (comptroller), not later than January of each year, to distribute a written report regarding the tobacco settlement permanent trust account during the fiscal year ending on the preceding August 31 to the state auditor.

SECTION 28. Amends Section 411.0097(d), Government Code, as added by Chapter 693 (S.B. 293), Acts of the 79th Legislature, Regular Session, 2005, to delete existing text requiring DPS to submit the updated plan relating to truck inspections and transportation on the border with Mexico to the lieutenant governor, the speaker of the house of representatives, and each other member of the legislature on or before December 1 of each even-numbered year.

SECTION 29. Amends Section 419.008(e), Government Code, to require the Texas Commission on Fire Protection (TCFP), not later than January 1 of each odd-numbered year, to report to the governor and to the legislature on TCFP's activities, rather than requiring TCFP to report to the governor annually and to the legislature at regular session on TCFP's activities.

SECTION 30. Amends Section 420.009, Government Code, to require the attorney general to publish a report on the sexual assault prevention and crisis service not later than December 10 of each year, rather than December 10 of each even-numbered year.

SECTION 31. Amends Section 431.030(b), Government Code, to require the adjutant general to, not later than September 1 of the year in which the Commissioner of the General Land Office submits a report as provided by Section 31.157 (Evaluation Report), Natural Resources Code, to submit the report as required by Subsection (a) (relating to evaluating the military use of any real property under the management and control of the adjutant general's department) to the governor, the presiding officer of each house of the legislature, and the Governor's Office of Budget, Planning, and Policy, rather than to the governor, the presiding officer of each house of the legislature, LBB, and the governor's budget office.

SECTION 32. Amends Section 431.034(a), Government Code, to delete existing text requiring the adjutant general to include in a report submitted to the governor and the legislature a complete and written statement accounting for all funds received and dispersed by the adjutant general's department during the preceding fiscal year that meets the reporting requirements applicable to financial reporting provided in the General Appropriations Act, and to make nonsubstantive changes.

SECTION 33. Amends Section 531.0141(b), Government Code, as follows:

(b) Requires the Health and Human Services Commission (HHSC), on an annual basis, rather than a quarterly basis, to assist the secretary of state (SOS) in preparing the report required under Section 405.021 (Report On State-Funded Projects Serving Colonias), to provide a report to SOS detailing any projects funded by HHSC that provide assistance to colonias. Authorizes SOS to prescribe the date on which the report required under this section is due.

SECTION 34. Amends Section 531.02492(b), Government Code, as follows:

(b) Requires HHSC to electronically publish on HHSC's Internet website, rather than to prepare and deliver, a biennial report and, on or before the date the report is due, to notify the governor, the lieutenant governor, the speaker of the house of representatives, the comptroller, LBB, and the appropriate legislative committees that the report is available on HHSC's Internet website. Requires that the report address the efforts of the health and human services agencies to provide health and human services to children younger than six years of age.

SECTION 35. Amends Section 531.03131, Government Code, by amending Subsection (f) and adding Subsection (g), as follows:

(f) Requires HHSC to file with the legislature a report regarding the use of the Internet site in the provision and delivery of child-care and education services during the reporting period not later than December 1 of each year, rather than the last day of the month following each calendar quarter. Requires that the report include the number of referrals made to Head Start or Early Head Start offices or centers, the number of referrals made to local workforce development centers, and the number of referrals made to each school district.

(g) Authorizes the report required under Subsection (f) to be made in conjunction with any other report HHSC is required to submit to the legislature.

SECTION 36. Amends the heading to Section 531.042, Government Code, to read as follows:

Sec. 531.042. INFORMATION AND ASSISTANCE REGARDING CARE AND SUPPORT OPTIONS.

SECTION 37. Amends Section 531.103(c), Government Code, to delete existing text requiring HHSC and the office of the attorney general to jointly prepare and submit an annual, rather than

a semiannual, report to the comptroller concerning the activities of those agencies in detecting and preventing fraud, waste, and abuse under the state Medicaid program or other program administered by HHSC or a health and human services agency.

SECTION 38. Amends Section 531.108(e), Government Code, to require HHSC to submit to the governor and LBB an annual report, rather than a semiannual report, on the results of the computerized matching of HHSC information with information from neighboring states, if any, and information from the Texas Department of Criminal Justice.

SECTION 39. Amends Section 614.102(e), Government Code, to delete existing text requiring the director of the Texas Forest Service of The Texas A&M University System to submit an annual written report on the activity, status, and effectiveness of the volunteer fire department assistance fund to the comptroller before November 1 of each year.

SECTION 40. Amends Section 654.037, Government Code, by adding Subsection (d), as follows:

(d) Requires the classification officer, each state fiscal biennium, to:

(1) identify each state agency that experienced an employee turnover rate of more than 17 percent during the preceding state fiscal biennium;

(2) with respect to each state agency described by Subdivision (1), conduct a comparative study of salary rates at the agency that compares the salaries paid at the agency with:

(A) the market average maximum salary in other governmental units and in the private sector for similar work performed; and

(B) the market average mid-range salary in other governmental units and in the private sector for similar work performed; and

(3) report the findings of the study in the manner provided by Subsection (a)(2) (relating to requiring the classification officer to report their findings from the study of salary rates in other governmental units to the governor's budget office and LBB not later than October 1 preceding each regular session of the legislature).

SECTION 41. Amends Section 661.202(j), Government Code, as follows:

(j) Requires a state agency to maintain a written statement, rather than to file a written statement with the state auditor, covering the policies and procedures for an extension of leave under Subsection (i) (relating to an administrative head of an agency authorizing an exception to the amount of sick leave an employee may take under certain circumstances). Requires the state agency to provide a copy of the statement to the state auditor on request.

SECTION 42. Amends Section 663.052(a), Government Code, to require the Texas Facilities Commission (TFC) to report regarding child care services to state employees to the legislature no later than December 1 of each even-numbered year, rather than each legislative session.

SECTION 43. Amends Section 772.009(f) and (g), Government Code, as follows:

(f) Requires each state agency's federal funds coordinator to:

(1) Makes no change to this subdivision;

(2) send the grant writing team an annual report, rather than a quarterly report, listing the grants for which the agency has applied and the catalogue of federal domestic assistance number and giving a short description of the grant; and

(3) Makes no change to this subdivision.

(g) Requires each state agency other than an institution of higher education, rather than each state agency or institution, to file an annual report with the grant writing team concerning the agency's efforts in acquiring available discretionary federal funds during the preceding state fiscal year.

SECTION 44. Amends Section 802.301, Government Code, by adding Subsection (h) to require the State Pension Review Board to provide to LBB a copy of any actuarial impact statement required under this section (Actuarial Impact Statements).

SECTION 45. Amends Sections 825.108(c) and (d), Government Code, as follows:

(c) Deletes existing text requiring a copy of the report required by Subsection (a) (relating to a report containing certain fiscal information on the Teacher Retirement System (TRS)) to be filed with the state auditor no later than December 15 of each year.

(d) Deletes existing text requiring a copy of the report required by Subsection (b) (relating to a report containing the balance sheet of TRS) to be filed with the state auditor no later than March 1 of each year.

SECTION 46. Amends Section 825.407(e), Government Code, to delete existing text requiring TRS, after the end of each fiscal year, to report to the state auditor the name of each general academic teaching institution and each medical and dental unit delinquent in the reimbursement of contributions under this section (Collection of Contributions From Noneducational and General Funds) for the preceding fiscal year and the amount by which each reported institution or unit is delinquent.

SECTION 47. Amends Section 1231.086(b), Government Code, to delete existing text requiring the Texas Bond Review Board (BRB) to provide a report of the information received under Subchapter E (Security Transaction Reports) for the fiscal year ending August 31 of that year to the joint committee charged with monitoring the implementation of goals for participation by historically underutilized businesses, and to make a nonsubstantive change.

SECTION 48. Amends Section 2054.1015(d), Government Code, to delete existing text requiring a state agency to notify the state auditor's office if the agency makes a substantive change to a planned procurement schedule for commodity items.

SECTION 49. Amends Subchapter F, Chapter 2054, Government Code, by adding Section 2054.1211, as follows:

Sec. 2054.1211. REPORTING REQUIREMENTS OF INSTITUTIONS OF HIGHER EDUCATION. Requires the Texas Department of Information Resources (DIR) and the Information Technology Council for Higher Education established under Section 2054.121(b) (relating to providing that the Information Technology Council for Higher Education consists of individuals in certain positions) to review all plans and reports required of institutions of higher education under this chapter. Provides that after September 1, 2014, an institution of higher education is not required to prepare or submit a plan or report generally required of a state agency under this chapter except to the extent expressly provided by a rule adopted by DIR on or after September 1, 2013.

SECTION 50. Amends Section 2102.0091, Government Code, by amending Subsections (a) and (c) and adding Subsection (d), as follows:

(a) and (c) Changes a reference to the budget division of the governor's office to the Governor's Office of Budget, Planning, and Policy.

(d) Authorizes LBB or the Governor's Office of Budget, Planning, and Policy, if the state agency does not file a report as required by this section (Reports of Periodic Audits), to take appropriate action to compel the filing of the report.

SECTION 51. Amends Section 2165.055, Government Code, to require TFC to submit to the governor a report on the improvement, condition, receipts, expenditures, and estimates of facilities under its control not later than December 1 of each even-numbered year, rather than biennially on December 1.

SECTION 52. Amends Sections 2165.1061(f) and (h), Government Code, as follows:

(f) Requires TFC to include the findings of a study of TFC's efforts to colocate administrative office space in TFC's master facilities plan required under Section 2166.102 (Long-Range Plan for State Agency Space Needs). Deletes existing text requiring TFC to report the findings of the study to the Governor's Office of Budget and Planning, LBB, and the comptroller not later than July 1 of each even-numbered year.

(h) Requires TFC to include the findings of the study on the amount of each state agency's administrative office space in Travis County to identify locations that exceed the space limitations prescribed by Section 2165.104(c) (relating to requiring TFC to adopt rules consistent with private sector standards and industry best practices to govern the allocation of space and exempting certain agencies from those rules under certain circumstances) in TFC's master facilities plan required under Section 2166.102. Deletes existing text requiring TFC to report the findings to the Governor's Office of Budget and Planning, LBB, and the comptroller. Sets forth the information required to be included in the findings, rather than the report.

SECTION 53. Amends Sections 2166.101(d) and (e), Government Code, as follows:

(d) Requires TFC to include a summary of its finding on the status of state-owned buildings and current information on construction costs in TFC's master facilities plan required under Section 2166.102. Deletes existing text requiring TFC to make available a report of the findings to the governor, the legislature, and the state's budget offices.

(e) Requires state agencies, departments, and institutions to cooperate with TFC in providing any information needed by TFC to comply with this section, rather than in providing the information necessary for the report.

SECTION 54. Amends the heading to Section 2166.103, Government Code, to read as follows:

Sec. 2166.103. FINDINGS ON SPACE NEEDS.

SECTION 55. Amends Section 2166.103(b), Government Code, as follows:

(b) Requires TFC to identify counties in which more than 50,000 square feet of usable office space is needed and make recommendations for meeting that need. Deletes existing text requiring TFC, before each legislative session, to send to the governor, the lieutenant governor, the speaker of the house of representatives, and LBB a report identifying counties in which more than 50,000 square feet of usable office space is needed and TFC's recommendations for meeting that need. Requires TFC to include TFC's findings and recommendations in TFC's master facilities plan required under Section 2166.102.

SECTION 56. Amends the heading to Section 2166.104, Government Code, to read as follows:

Sec. 2166.104. SUMMARY OF REQUESTED PROJECTS.

SECTION 57. Amends Sections 2166.104(a), (b), and (d), Government Code, as follows:

(a) Requires TFC to compile a list of and summarize all projects requested under Subchapter D (Individual Project Analysis), rather than requiring TFC, on or before a date specified by the state's budget agencies in each year immediately preceding a regular session of the legislature, to send to the budget agencies a report listing all projects requested by Subchapter D. Requires TFC to include the summary in TFC's master facilities plan required under Section 2166.102.

(b) Sets forth information required to be included in the summary, rather than information required to be contained in the report.

(d) Makes a conforming change.

SECTION 58. Amends Subchapter I, Chapter 2166, Government Code, by adding Section 2166.409, as follows:

Sec. 2166.409. STATE AGENCY ENERGY SAVINGS PROGRAM. (a) Requires each state agency to develop a plan for conserving energy that includes the percentage goal for reducing the agency's use of electricity, gasoline, and natural gas.

(b) Requires each state agency to file a quarterly report with the governor and LBB listing the goals identified in the agency's conservation plan and a description of the process made by the agency in meeting those goals. Requires that the report include ideas for additional energy savings developed by the agency.

(c) Requires each state agency to make the report required under Subsection (b) available to the public by posting the report in a conspicuous place on the agency's Internet website.

SECTION 59. Amends Section 2205.039(c), Government Code, as follows:

(c) Requires a state agency other than TxDOT to send the agency's travel logs to TxDOT on an annual basis, rather than requiring a state agency other than the State Aircraft Pooling Board to send travel logs to the board each month in which the agency operates an aircraft. Provides that an agency is not required to file a travel log with TxDOT if the agency did not operate an aircraft during the period covered by the travel log.

SECTION 60. Reenacts Section 2262.052(b), Government Code, as amended by Chapters 309 (H.B. 3042) and 785 (S.B. 19), Acts of the 78th Legislature, Regular Session, 2003, and makes no further changes to this subsection.

SECTION 61. Amends Section 2306.0721(c), Government Code, to delete existing text requiring that the low income housing plan include any other housing-related information that the state is required to include in the one-year action plan of the consolidated plan submitted annually to the United States Department of Housing and Urban Development.

SECTION 62. Amends Section 2306.559(a), Government Code, to delete existing text requiring the board of directors of the Texas State Affordable Housing Corporation (TSAHC) to submit a report of TSAHC's financial activity to LBB.

SECTION 63. Amends Section 2306.560(a), Government Code, to delete existing text requiring TSAHC to submit an audit report of TSAHC's books and accounts by an independent certified public accountant to LBB by a date certain.

SECTION 64. Amends Section 103.013, Health and Safety Code, by adding Subsection (g), as follows:

(g) Authorizes the report required under Subsection (f) (relating to submission of a report to the Texas Diabetes Council, LBB, and the governor's office of budget and planning as to what resources are required for implementation of the plan for diabetes treatment,

education, and training and any deviations from the plan) to be published electronically on a state agency's Internet website. Requires a state agency that electronically publishes a report under this subsection to notify each agency entitled to receive a copy of the report that the report is available on the agency's Internet website on or before the date the report is due.

SECTION 65. Amends Section 161.0211(b), Health and Safety Code, to change a reference from the Texas Natural Resource Conservation Commission to the Texas Commission on Environmental Quality.

SECTION 66. Amends Section 161.032, Health and Safety Code, by adding Subsection (g), as follows:

(g) Authorizes the records of a medical committee of a university medical school or a health science center, including a joint committee, notwithstanding any other provision of this section, to be disclosed to the extent required under federal law as a condition on the receipt of federal money.

SECTION 67. Amends Subchapter Q, Chapter 361, Health and Safety Code, by adding Section 361.5061, as follows:

Sec. 361.5061. PLANNING AND REPORTING REQUIREMENTS: INSTITUTIONS OF HIGHER EDUCATION. Authorizes an institution of higher education that is required to develop a source reduction and waste minimization plan under this subchapter for more than one facility to:

(1) develop and submit one plan that covers all of the facilities; and

(2) submit one annual report and one executive summary under Section 361.506 (Resource Reduction and Waste Minimization Annual Report) that covers all of the facilities.

SECTION 68. Amends Section 534.068, Health and Safety Code, by adding Subsections (a-1) and (g), as follows:

(a-1) Authorizes the audit required under Subsection (a) (relating to an annual financial and compliance audit of a local mental health and mental retardation authority (authority)) to be published electronically on an authority's Internet website. Requires an authority that electronically publishes an audit under this subsection to notify the Texas Department of Mental Health and Mental Retardation (TXMHMR) that the audit is available on the authority's Internet website on or before the date the audit is due.

(g) Authorizes the report required under Subsection (f) to be published electronically on TXMHMR's Internet website. Requires TXMHMR to notify each entity entitled to receive a copy of the report that the report is available on TXMHMR's Internet website on or before the date the report is due.

SECTION 69. Amends Section 22.0251(b), Human Resources Code, to delete existing text requiring the Texas Department of Human Services (TDHS) to submit to HHSC an annual, rather than semiannual, report detailing TDHS's progress in reaching its goals under Subsection (a)(2) (relating to reducing time taken by TDHS to establish an overpayment claim in the food stamp program or the program of financial assistance).

SECTION 70. Amends Section 22.0252(b), Human Resources Code, to require TDHS to submit to the governor and LBB an annual report, rather than to submit to the governor, LBB, and HHSC a semiannual report, on the operation and success of the telephone collection program.

SECTION 71. Amends Section 22.0292(d), Human Resources Code, to require TDHS to submit to the governor and LBB an annual report, rather than to submit to the governor, LBB, and

HHSC a semiannual report, on the operation and success of the information matching system required by this section.

SECTION 72. Amends Section 51.006, Human Resources Code, as follows:

Sec. 51.006. REPORT. (a) Creates this subsection from existing text and makes no further change.

(b) Authorizes the report required under Subsection (a) (relating to family violence centers) to be published electronically on the Department of Family and Protective Services's (DFPS) Internet website. Requires DFPS to notify each agency entitled to receive a copy of the report that the report is available on DFPS's Internet website on or before the date the report is due.

SECTION 73. Amends Section 114.008(a), Human Resources Code, to require the agencies represented on the Texas Council on Autism and Pervasive Developmental Disorders (council) and the public members to report to the council any requirements identified by the agency or person to provide additional or improved services to persons with autism or other pervasive developmental disorders not later than November 1 of each even-numbered year, rather than November 1 of each year.

SECTION 74. Amends Section 122.022, Human Resources Code, as follows:

Sec. 122.022. REPORTS. (a) Requires the Texas Council on Purchasing From People With Disabilities (purchasing council), on or before November 1 of each year, to file with the governor and the presiding officer of each house of the legislature a copy of the annual report prepared by the purchasing council under Section 2101.011, Government Code, rather than a complete and detailed written report accounting for all funds received and disbursed by the purchasing council during the preceding year. Deletes existing text requiring that the annual report meet the reporting requirements applicable to financial reporting provided in the General Appropriations Act.

(b) Requires that the purchasing council, as part of the report filed under Subsection (a), provide certain information, rather than requiring the report submitted under this section to include certain information.

SECTION 75. Amends Section 134.0041(g), Human Resources Code, to delete existing text requiring a state agency or medical school that disagrees with the resource allocation plan recommending how funds for genetic services should be spent during the next fiscal biennium to submit to LBB a written explanation of each disagreement or deviation and the reason for disagreement or deviation, and makes a nonsubstantive change.

SECTION 76. Amends Section 32.021(a), Insurance Code, to delete existing text requiring the Texas Department of Insurance (TDI) to file an accounting of all funds received and disbursed by TDI during the preceding fiscal year with the governor and the presiding officer of each house of the legislature, and to make nonsubstantive changes.

SECTION 77. Amends Section 21.003(d), Labor Code, to require the Texas Workforce Commission civil rights division (commission) to at least annually make a comprehensive written report on the commission's activities to the governor and the legislature.

SECTION 78. Amends Section 21.552(b), Labor Code, as follows:

(b) Requires the commission, to compile equal employment opportunity information reported to the commission by a state agency each year. Requires that the information include:

(1)-(3) Makes no change to these subdivisions;

(4) Makes a nonsubstantive change; and

(5) the total number of employees of the agency listed by job classification and the total number of employees for each sex and racial and ethnic group listed by job classification, including a distinction for those categories between the total number of employees and the total number of employees hired since the date of the last report made by the agency.

Deletes existing text requiring that the information include the total number of disabled employees of the agency, including a distinction for that category between the total number of employees and the total number of employees hired since the date of the last report made by the agency and the total number of employees of the agency for each disability listed by job classification. Makes nonsubstantive changes.

SECTION 79. Amends the heading to Section 21.553, Labor Code, to read as follows:

Sec. 21.553. COOPERATION WITH COMPTROLLER AND UNIFORM STATEWIDE ACCOUNTING SYSTEM; REPORT.

SECTION 80. Amends Section 21.553(b), Labor Code, to require the commission to report the results of an analysis of the information reported to the commission under this subchapter to LBB and the governor in addition to the legislature not later than January 1 of each odd-numbered year, rather than the fifth day of each regular session of the legislature.

SECTION 81. Amends the heading to Section 412.051, Labor Code, to read as follows:

Sec. 412.051. DUTIES OF STATE AGENCIES; INSURANCE NOTIFICATION REQUIREMENTS.

SECTION 82. Amends Section 412.051(b), Labor Code, as follows:

(b) Requires each state agency that intends to purchase property, casualty, or liability insurance coverage in a manner other than through the services provided by the State Office of Risk Management (SORM), subject to Section 412.011 (Powers and Duties of Office), rather than in addition to the report required under Section 412.053 (Annual Report By State Agency), to notify SORM of the intended purchase in the manner prescribed by SORM. Requires the state agency to notify SORM of the intended purchase not later than the 30th day before the date on which the purchase of the coverage is scheduled to occur. Makes nonsubstantive changes.

SECTION 83. Amends Section 506.002(b), Labor Code, to delete existing text requiring the workers' compensation division of the Office of the Attorney General to send to the state auditor a copy of each statement of amounts due from an agency or other instrumentality of state government that, with funds that are held outside the state treasury, reimburses the general revenue fund for workers' compensation payments made out of the general revenue fund.

SECTION 84. Amends the heading to Section 91.1135, Natural Resources Code, to read as follows:

Sec. 91.1135. OIL AND GAS REGULATION AND CLEANUP FUND ADVISORY COMMITTEE.

SECTION 85. Amends Sections 91.1135(a), (d), (e), (f), and (g), Natural Resources Code, as follows:

(a) Redefines "committee."

(d) Requires the Oil and Gas Regulation and Cleanup Fund Advisory Committee to receive information about rules proposed by the Railroad Commission of Texas relating to the oil and gas regulation and cleanup fund, rather than the oil-field cleanup fund, in addition to certain other requirements. Makes a conforming change.

(e)-(g) Makes conforming changes.

SECTION 86. Amends Section 141.079, Natural Resources Code, to require the commissioner of the General Land Office to report to the legislature, not later than January 1 of each odd-numbered year, rather than the during first 30 days of each regular session of the legislature, on the status of exploration, development, and production of geothermal energy and associated resources under the land governed by this subchapter.

SECTION 87. Amends Section 161.2111, Natural Resources Code, to require the Veterans' Land Board (VLB), with respect to purchases made under this chapter, to file annually, rather than semiannually, with BRB a report on the performance of loans made by VLB in connection with the purchases.

SECTION 88. Amends Section 162.003(e), Natural Resources Code, to require VLB, with respect to loans made under the program, to file annually, rather than semiannually, with BRB a report on the performance of the loans.

SECTION 89. Amends Section 651.162, Occupations Code, as follows:

Sec. 651.162. New heading: BIENNIAL REPORT. Requires the Texas Funeral Service Commission (TFSC) to file biennially, rather than annually, with the governor a written description of the activities of TFSC during the two preceding fiscal years, rather than during the preceding fiscal year. Deletes existing Subsection (b) designation.

SECTION 90. Amends Section 201.207(d), Transportation Code, to delete existing text requiring TxDOT to submit the biennially-updated short-range and long-range plans to increase bilateral relations with Mexico and expedite trade by mitigating delays in border crossing inspections for northbound truck traffic to the lieutenant governor, the speaker of the house of representatives, and each other member of the legislature on or before December 1 of each even-numbered year.

SECTION 91. Amends Section 201.806(a), Transportation Code, as follows:

(a) Deletes existing text requiring TxDOT, not later than December 15 of each even-numbered year, to provide to the governor and the legislature an abstract of the statistical information for the biennium ending on the preceding August 31, and a report with TxDOT's conclusions, findings, and recommendations for decreasing highway accidents and increasing highway and bridge safety. Make nonsubstantive changes.

SECTION 92. Amends Section 228.012(c), Transportation Code, to require TxDOT, not later than January 1 of each odd-numbered year, to submit to LBB and the Governor's Office of Budget, Planning, and Policy, a report on cash balances in the subaccounts created under this section and expenditures made with money in those subaccounts; requires that the report be in the form prescribed by LBB; and makes a nonsubstantive change

SECTION 93. Amends Section 456.008(a), Transportation Code, as follows:

(a) Requires the Texas Transportation Commission (TTC) by rule to prepare and issue to the legislature a report on public transportation providers, rather than the performance of public transportation providers, in this state that received state or federal funding during the previous 12-month period. Requires that a report under this section detail the performance of the transportation providers during the preceding state fiscal year and include monthly data, for each transportation provider, on industry utilized standards that best reflect ridership, mileage, revenue by source, and service effectiveness. Deletes existing text requiring TTC to issue a report under this section at least once each state fiscal year.

SECTION 94. Amends Section 12.203, Utilities Code, as follows:

Sec. 12.203. New heading: BIENNIAL REPORT. Requires the Public Utility Commission of Texas (PUC) to, not later than January 15 of each odd-numbered year, prepare a written report that includes suggestions regarding modification and improvement of PUC's statutory authority and for the improvement of utility regulation in general that PUC considers appropriate for protecting and furthering the interest of the public. Deletes existing Subsection (a) requiring PUC to prepare annually a complete and detailed written report accounting for all funds received and disbursed by PUC during the preceding fiscal year. Deletes existing text requiring that the report meet the reporting requirements applicable to financial reporting in the General Appropriations Act. Deletes existing Subsection (b) designation. Deletes existing text to require PUC, in the annual report issued in the year preceding the convening of each regular session of the legislature, to make suggestions regarding modification and improvement of PUC's statutory authority and for the improvement of utility regulation in general that PUC considers appropriate for protecting and furthering the interest of the state. Makes a conforming and nonsubstantive change.

SECTION 95. Amends Section 51(c), Chapter 1406 (S.B. 758), Acts of the 80th Legislature, Regular Session 2007, as follows:

(c) Deletes existing text requiring DFPS, beginning September 1, 2007, at the end of the fiscal year, to prepare a progress report that details DFPS's activities in implementing the recommendations described in Subdivision (b)(8) (relating to requiring that the improvement plan include expanding substitute and adoptive placement quality and capacity in local communities through the procurement of a statewide needs assessment and through implementation of recommendations for expanding and improving provider capabilities) of this section. Deletes existing text requiring that the progress report include regional data regarding the number of children in state conservatorship who are placed in their home region separated into classifications based on levels of care. Deletes existing text requiring DFPS to submit the periodic progress reports required by this subsection to the governor, the lieutenant governor, the speaker of the house of representatives, the appropriate oversight committees of the legislature, LBB, and the state auditor.

SECTION 96. Amends Section 1(c), Chapter 413 (H.B. 1966), Acts of the 81st Legislature, Regular Session, 2009, as follows:

(c) Requires HHSC, not later than December 1 of each year, to submit an annual report to the governor and LBB regarding the e-prescribing implementation plan developed under this section. Requires that the report include projected expenditures and cost savings anticipated for the plan during the state fiscal year and the total expenditures associated with and cost savings realized from the plan to date. Provides that this subsection expires January 1, 2015. Deletes existing text requiring HHSC, not later than December 1, 2009, to submit an initial report detailing the e-prescribing implementation plan developed under this section.

SECTION 97. Amends Section 34, Chapter 1409 (H.B. 4586), Acts of the 81st Legislature, Regular Session, 2009, by adding Subsection (d), to provide that after an agency or institution that receives money available under the American Recovery and Reinvestment Act has spent all the money received under that Act and completed all projects related to that Act, the agency or institution is no longer required to submit reports related to the agency's receipt of that money to LBB.

SECTION 98. Requires DIR and the Information Technology Council for Higher Education to complete the review required under Section 2054.1211, Government Code, as added by this Act, not later than March 1, 2014.

SECTION 99. Repealer: Section 22.004(e) (relating to a report submitted to the legislature by the executive director of TRS describing the status of each district's group health coverage program), Education Code;

Repealers: Sections 29.160(e) (relating to requiring the State Center for Early Childhood Development and any other entity that implements a certain demonstration project to provide a report containing certain information to the legislature and to the state agency or agencies with regulatory jurisdiction over the subject matter involved in the project) and (f) (relating to requiring that the report required by Subsection (e) be provided at the time specified jointly by the state agency or agencies with regulatory jurisdiction over the subject matter involved in the demonstration project), Education Code;

Repealer: Subchapter L (Conditional Gifts from Foreign Persons), Chapter 51 (Provisions Generally Applicable to Higher Education), Education Code;

Repealers: Sections 54.777(b) (relating to a certain report the Prepaid Higher Education Tuition Board is required to make available to purchasers of prepaid tuition contracts) and (c) (relating to requiring the Prepaid Higher Education Tuition Board, not later than December 1 of each year, to provide to THECB complete prepaid tuition contract sales information, including projected enrollments of beneficiaries at general academic teaching institutions and two-year institutions of higher education), Education Code;

Repealer: Section 61.0761(d) (relating to a report describing progress in implementing the college readiness and success strategic action plan), Education Code;

Repealer: Section 74.004(d) (relating to requiring the medical branch of The University of Texas system to report gifts and benefits to LBB), Education Code;

Repealer: Section 152.005 (Progress Reports), Education Code;

Repealer: Section 152.006 (Merit Review), Education Code;

Repealer: Section 59.012 (Reports by Criminal Justice Policy Council), Family Code;

Repealer: Section 264.759 (Records of Placement That Fail for Financial Reasons), Family Code;

Repealer: Section 21.007(d) (relating to a report required to be filed by the Office of Court Administration (OCA) and the presiding judges with LBB at the end of each fiscal year showing disbursements from the account and the purpose for each disbursement), Government Code;

Repealer: Section 21.008(e) (relating to a report OCA is required to file with LBB at the end of each fiscal year showing disbursements from the account and the purpose for each disbursement), Government Code;

Repealer: Section 411.0097(c) (relating to requiring DPS to submit semiannually to the governor's office and LBB a report that includes a written evaluation in matters related to each multicounty drug task force), Government Code, as added by Chapter 556 (H.B. 1239), Acts of the 79th Legislature, Regular Session, 2005;

Repealer: Section 499.028 (Facilities Expansion and Improvement Report), Government Code;

Repealer: Section 531.02415(e) (relating to requiring HHSC to provide a monthly statistical report to certain safety net provider collaborative organizations and to LBB on the number of applications processed, the timeliness of the application process, and the reasons for any delays and requiring HHSC to work with the safety net provider collaborative organizations to decrease delays in processing applications), Government Code;

Repealer: Section 531.042(d) (relating to requiring each health and human services agency annually and as provided by HHSC rule to report to the legislature the number of

community-based service placements and residential-care placements the agency makes), Government Code;

Repealer: Section 531.073(i) (relating to requiring HHSC to study the costs and benefit of the prior authorization process and methods to improve efficiency), Government Code;

Repealer: Section 531.0731 (Study Regarding the Provision of Certain Medication to Children), Government Code;

Repealer: Section 825.510 (Budget and Investment Information), Government Code;

Repealer: Section 825.518 (Annual Report), Government Code;

Repealer: Section 2155.448(c) (relating to requiring a state agency to include certain information in a report required by Section 2101.0115 (Other Information Required of State Agencies) and in an annual report required by the comptroller at a date and in a manner and form prescribed by the comptroller), Government Code;

Repealers: Sections 2161.121(d) (relating to a report the comptroller is required to send on April 15 of each year on the previous six-month period to the joint committee charged with monitoring the implementation of the historically underutilized business goals) and (e) (relating to a report the comptroller is required to send on October 15 of each year on the preceding fiscal year to the presiding officer of each house of the legislature and the joint committee), Government Code;

Repealer: Section 2165.2035(e) (relating to a report that TFC, on or before December 1 of each even-numbered year, is required to submit to the legislature and LBB describing the effectiveness of the program under this section (Lease of Space in State-Owned Parking Lots and Garages; Private Commercial Use)), Government Code;

Repealer: Section 2306.560(d) (relating to transfers of funds, personnel, or in-kind contributions from TDHCA), Government Code;

Repealer: Section 101.0061(f) (relating to a written policy statement by the executive director to assure implementation of a program of equal employment opportunity), Human Resources Code;

Repealer: Section 221.012(b) (relating to the annual filing of a complete and detailed written report accounting for all funds received and disbursed by the Texas Juvenile Justice Department during the preceding fiscal year), Human Resources Code;

Repealer: Section 1575.170(c) (relating to the submission to the comptroller and LBB of a report regarding cost savings by the board of trustees of TRS), Insurance Code;

Repealer: Section 205.019(b) (relating to the sending of a copy of statement of amounts due from a branch, department, or other instrumentality by the Texas Workforce Commission), Labor Code;

Repealer: Section 201.103(c) (relating to requiring TTC to submit a report of its work to the governor and the legislature and that the report include recommendations of TTC and the executive director of TTC), Transportation Code;

Repealer: Section 201.608(c) (relating to requiring TxDOT, not later than February 1 of each odd-numbered year, to report to the legislature on the ability of the state highway system to allow for the projected volume of highway traffic resulting from international trade over the five-year period following the date of the report), Transportation Code;

Repealer: Section 222.103(e) (relating to requiring TxDOT, on the request of a member of the legislature, to notify each member of the legislature that represents any part of the area affected by the project of the status of the project and how any other project in any

other district would be affected not later than the 90th day before the date a loan is granted or an expenditure is made by TxDOT for a project under this section), Transportation Code;

Repealer: Section 6.156(b) (relating to a detailed quarterly report by the Texas Water Development Board (TWDB) filed annually with the governor and presiding officer of each house accounting for all funds received and disbursed by TWDB), Water Code;

Repealer: Section 26.051 (Annual Report on Edwards Aquifer Program), Water Code;

Repealer: Section 26.561 (Water Quality Protection Area Reports), Water Code;

Repealer: Section 21A(g) (relating to a complete and detailed written report accounting for certain funds the fire fighters' pension commissioner is required to file annually with the governor and the presiding officer of each house of the legislature), Texas Local Fire Fighters Retirement Act (Article 6243e, V.T.C.S.);

Repealer: Section 1(d) (relating to a final report that HHSC, not later than December 1, 2010, is required to submit to the governor and LBB regarding the e-prescribing implementation plan under this section (Vendor Drug Program; E-prescribing)), Chapter 413 (H.B. 1966), Acts of the 81st Legislature, Regular Session, 2009; and

Repealer: Section 46, Chapter 1130 (H.B. 2086), Acts of the 81st Legislature, Regular Session, 2009 (relating to the preparation of an annual criminal justice policy statement by LBB).

SECTION 100. Effective date: September 1, 2013.