

Suspending limitations on conference committee
jurisdiction, H.B. No. 1675

By: Nichols

S.R. No. 1089

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 83rd Legislature, Regular Session, 2013, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill 1675 (the sunset review process and certain governmental entities subject to that process) to consider and take action on the following matter:

(1) Senate Rule 12.03(4) is suspended to permit the committee to add text on matters not included in either the house or senate version of the bill by adding the following to SECTION 1.03 of the bill:

(c) If a conflict exists between this Act and another Act of the 83rd Legislature, Regular Session, 2013, that amends Section 2152.002, Government Code, to extend the sunset date of the Texas Facilities Commission, this Act controls without regard to the relative dates of enactment.

Explanation: This addition is necessary to ensure that the sunset review date for the Texas Facilities Commission in the bill controls over any other bill amending that date.

(2) Senate Rule 12.03(4) is suspended to permit the committee to add text on matters not included in either the house or senate version of the bill by adding the following:

SECTION 2.02. EMPLOYEES RETIREMENT SYSTEM OF TEXAS. Subchapter A, Chapter 815, Government Code, is amended by adding

Section 815.005 to read as follows:

Sec. 815.005. SUNSET PROVISION. The board of trustees of the Employees Retirement System of Texas is subject to review under Chapter 325 (Texas Sunset Act), but is not abolished under that chapter. The board shall be reviewed during the period in which state agencies abolished in 2017, and every 12th year after that year, are reviewed.

SECTION 2.04. TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS. (a) Section 2306.022, Government Code, is amended to read as follows:

Sec. 2306.022. APPLICATION OF SUNSET ACT. The Texas Department of Housing and Community Affairs is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished and this chapter expires September 1, 2017 [~~2013~~].

(b) The Sunset Advisory Commission shall limit its review of the Texas Department of Housing and Community Affairs in preparation for the work of the 85th Legislature in Regular Session to the appropriateness of recommendations made by the commission to the 83rd Legislature. In the commission's report to the 85th Legislature, the commission may include any recommendations it considers appropriate. This subsection expires September 1, 2017.

(c) This section takes effect only if the 83rd Legislature, Regular Session, 2013, does not enact other legislation that becomes law and that amends Section 2306.022, Government Code, to extend the sunset date of the Texas

Department of Housing and Community Affairs. If the 83rd Legislature, Regular Session, 2013, enacts legislation of that kind, this section has no effect.

SECTION 2.05. RAILROAD COMMISSION OF TEXAS. Section 81.01001, Natural Resources Code, is amended to read as follows:

Sec. 81.01001. SUNSET PROVISION. (a) The Railroad Commission of Texas is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished September 1, 2017 [~~2013~~].

(a-1) The review of the Railroad Commission of Texas by the Sunset Advisory Commission in preparation for the work of the 85th Legislature in Regular Session is not limited to the appropriateness of recommendations made by the Sunset Advisory Commission to the 83rd Legislature. In the Sunset Advisory Commission's report to the 85th Legislature, the Sunset Advisory Commission may include any recommendations it considers appropriate. The review must include an examination of alternative organizational structures for the Railroad Commission of Texas and alternative methods for performing the commission's responsibilities that would enable the efficient and effective accomplishment of the commission's functions. The examination must include an assessment of existing state agencies that would be able to perform the commission's functions. The review must also include an examination of methods to increase the public's role in decisions of the Railroad Commission of Texas that relate to the effect of the

growth of resource extraction. The Sunset Advisory Commission may contract for assistance in performing the review, including assistance in evaluating, auditing, and forensic auditing, as the Sunset Advisory Commission determines necessary. This subsection expires September 1, 2017.

(b) The Railroad Commission of Texas shall pay the costs incurred by the Sunset Advisory Commission in performing a review of the commission under this section. The Sunset Advisory Commission shall determine the costs, and the commission shall pay the amount of those costs promptly on receipt of a statement from the Sunset Advisory Commission detailing the costs.

ARTICLE 5. ENTITIES GIVEN 2025 SUNSET DATE

SECTION 5.01. STATE EMPLOYEE CHARITABLE CAMPAIGN POLICY COMMITTEE. (a) Section 659.140(i), Government Code, is amended to read as follows:

(i) The state employee charitable campaign policy committee is subject to the Texas Sunset Act. Unless continued in existence as provided by that chapter, the committee is abolished and [~~Government Code Chapter 659,~~] Subchapter I[~~7~~] and Sections 814.0095 and 814.0096 expire on September 1, 2025 [~~2013~~].

(b) This section takes effect only if the 83rd Legislature, Regular Session, 2013, does not enact other legislation that becomes law and that amends Section 659.140(i), Government Code, to extend the sunset date of the state employee charitable campaign policy committee. If the 83rd Legislature, Regular Session, 2013, enacts legislation of that kind, this

section has no effect.

Explanation: This addition is necessary to change the sunset review date for various state agencies, to subject the board of trustees of the Employees Retirement System of Texas to sunset review, and to address the scope of the review of state agencies that were reviewed by the Sunset Advisory Commission in preparation for the work of the 83rd Legislature in Regular Session.

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 26, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate