

Suspending limitations on conference committee
jurisdiction, H.B. No. 1675 (Bonnen of Brazoria/Nichols)

By: Nichols

S.R. No. 1089

R E S O L U T I O N

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

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

12 (c) If a conflict exists between this Act and another Act of
13 the 83rd Legislature, Regular Session, 2013, that amends Section
14 2152.002, Government Code, to extend the sunset date of the Texas
15 Facilities Commission, this Act controls without regard to the
16 relative dates of enactment.

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

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

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

1 Section 815.005 to read as follows:

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

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

11 Sec. 2306.022. APPLICATION OF SUNSET ACT. The Texas
12 Department of Housing and Community Affairs is subject to Chapter
13 325 (Texas Sunset Act). Unless continued in existence as provided
14 by that chapter, the department is abolished and this chapter
15 expires September 1, 2017 [~~2013~~].

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

23 (c) This section takes effect only if the 83rd Legislature,
24 Regular Session, 2013, does not enact other legislation that
25 becomes law and that amends Section 2306.022, Government Code, to
26 extend the sunset date of the Texas Department of Housing and
27 Community Affairs. If the 83rd Legislature, Regular Session, 2013,

1 enacts legislation of that kind, this section has no effect.

2 SECTION 2.05. RAILROAD COMMISSION OF TEXAS. Section
3 81.01001, Natural Resources Code, is amended to read as follows:

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

8 (a-1) The review of the Railroad Commission of Texas by the
9 Sunset Advisory Commission in preparation for the work of the 85th
10 Legislature in Regular Session is not limited to the
11 appropriateness of recommendations made by the Sunset Advisory
12 Commission to the 83rd Legislature. In the Sunset Advisory
13 Commission's report to the 85th Legislature, the Sunset Advisory
14 Commission may include any recommendations it considers
15 appropriate. The review must include an examination of alternative
16 organizational structures for the Railroad Commission of Texas and
17 alternative methods for performing the commission's
18 responsibilities that would enable the efficient and effective
19 accomplishment of the commission's functions. The examination must
20 include an assessment of existing state agencies that would be able
21 to perform the commission's functions. The review must also
22 include an examination of methods to increase the public's role in
23 decisions of the Railroad Commission of Texas that relate to the
24 effect of the growth of resource extraction. The Sunset Advisory
25 Commission may contract for assistance in performing the review,
26 including assistance in evaluating, auditing, and forensic
27 auditing, as the Sunset Advisory Commission determines necessary.

1 This subsection expires September 1, 2017.

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

8 ARTICLE 5. ENTITIES GIVEN 2025 SUNSET DATE

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

12 (i) The state employee charitable campaign policy committee
13 is subject to the Texas Sunset Act. Unless continued in existence
14 as provided by that chapter, the committee is abolished and
15 [~~Government Code Chapter 659~~] Subchapter I[~~7~~] and Sections
16 814.0095 and 814.0096 expire on September 1, 2025 [~~2013~~].

17 (b) This section takes effect only if the 83rd Legislature,
18 Regular Session, 2013, does not enact other legislation that
19 becomes law and that amends Section 659.140(i), Government Code, to
20 extend the sunset date of the state employee charitable campaign
21 policy committee. If the 83rd Legislature, Regular Session, 2013,
22 enacts legislation of that kind, this section has no effect.

23 Explanation: This addition is necessary to change the sunset
24 review date for various state agencies, to subject the board of
25 trustees of the Employees Retirement System of Texas to sunset
26 review, and to address the scope of the review of state agencies
27 that were reviewed by the Sunset Advisory Commission in preparation

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1 for the work of the 83rd Legislature in Regular Session.