

**CORRECTED**  
**SENATE AMENDMENTS**  
**2<sup>nd</sup> Printing**

By: Bonnen of Brazoria

H.B. No. 1675

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to governmental entities subject to the sunset review  
3 process.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 ARTICLE 1. ENTITIES GIVEN 2015 SUNSET DATE

6 SECTION 1.01. UNIVERSITY INTERSCHOLASTIC LEAGUE. Section  
7 33.083, Education Code, is amended by adding Subsection (e) to read  
8 as follows:

9 (e) The University Interscholastic League is subject to  
10 review under Chapter 325, Government Code (Texas Sunset Act), but  
11 is not abolished under that chapter. The University  
12 Interscholastic League shall be reviewed during the period in which  
13 state agencies abolished in 2015 are reviewed. The University  
14 Interscholastic League shall pay the costs incurred by the Sunset  
15 Advisory Commission in performing the review under this subsection.  
16 The Sunset Advisory Commission shall determine the costs of the  
17 review performed under this subsection, and the University  
18 Interscholastic League shall pay the amount of those costs promptly  
19 on receipt of a statement from the Sunset Advisory Commission  
20 regarding those costs. This subsection expires September 1, 2015.

21 SECTION 1.02. CLEAR LAKE CITY WATER AUTHORITY. Chapter  
22 101, Acts of the 58th Legislature, Regular Session, 1963, is  
23 amended by adding Section 1A to read as follows:

24 Sec. 1A. (a) The Authority is subject to review under

1 Chapter 325, Government Code (Texas Sunset Act), as if it were a  
2 state agency but may not be abolished under that chapter. The  
3 review shall be conducted as if the Authority were scheduled to be  
4 abolished September 1, 2015.

5 (b) The review must assess the Authority's governance,  
6 management, and operating structure and the Authority's compliance  
7 with legislative requirements.

8 (c) The Authority shall pay the costs incurred by the Sunset  
9 Advisory Commission in performing a review of the Authority under  
10 this section. The Sunset Advisory Commission shall determine the  
11 costs, and the Authority shall pay the amount promptly on receipt of  
12 a statement from the Sunset Advisory Commission detailing the  
13 costs.

14 (d) This section expires September 1, 2015.

15 SECTION 1.03. SULPHUR RIVER BASIN AUTHORITY. Chapter 3,  
16 Acts of the 69th Legislature, 1st Called Session, 1985, is amended  
17 by adding Section 1A to read as follows:

18 Sec. 1A. APPLICATION OF SUNSET ACT. (a) The authority is  
19 subject to review under Chapter 325, Government Code (Texas Sunset  
20 Act), as if it were a state agency but may not be abolished under  
21 that chapter. The review shall be conducted as if the authority  
22 were scheduled to be abolished September 1, 2015.

23 (b) The review must assess the authority's governance,  
24 management, and operating structure and the authority's compliance  
25 with legislative requirements.

26 (c) The authority shall pay the costs incurred by the Sunset  
27 Advisory Commission in performing a review of the authority under

1 this section. The Sunset Advisory Commission shall determine the  
2 costs, and the authority shall pay the amount promptly on receipt of  
3 a statement from the Sunset Advisory Commission detailing the  
4 costs.

5 (d) This section expires September 1, 2015.

6 SECTION 1.04. TEXAS BOARD OF CHIROPRACTIC EXAMINERS.

7 Section 201.004, Occupations Code, is amended to read as follows:

8 Sec. 201.004. APPLICATION OF SUNSET ACT. (a) The Texas  
9 Board of Chiropractic Examiners is subject to Chapter 325,  
10 Government Code (Texas Sunset Act). Unless continued in existence  
11 as provided by that chapter, the board is abolished and this chapter  
12 expires September 1, 2015 [~~2017~~].

13 (b) The board shall pay the costs incurred by the Sunset  
14 Advisory Commission in performing a review of the board under this  
15 section. The Sunset Advisory Commission shall determine the costs,  
16 and the board shall pay the amount promptly on receipt of a  
17 statement from the Sunset Advisory Commission detailing the costs.

18 ARTICLE 2. ENTITIES GIVEN 2017 SUNSET DATE

19 SECTION 2.01. TEXAS DEPARTMENT OF TRANSPORTATION. Section  
20 201.204, Transportation Code, is amended to read as follows:

21 Sec. 201.204. SUNSET PROVISION. The Texas Department of  
22 Transportation is subject to Chapter 325, Government Code (Texas  
23 Sunset Act). Unless continued in existence as provided by that  
24 chapter, the department is abolished September 1, 2017 [~~2015~~].

25 ARTICLE 3. ENTITIES GIVEN 2019 SUNSET DATE

26 SECTION 3.01. REGIONAL EDUCATION SERVICE CENTERS. Section  
27 8.010, Education Code, is amended to read as follows:

1           Sec. 8.010. SUNSET PROVISION. Regional education service  
2 centers are subject to Chapter 325, Government Code (Texas Sunset  
3 Act). Unless continued in existence as provided by that chapter,  
4 the centers are abolished and this chapter expires September 1,  
5 2019 [~~2015~~].

6           SECTION 3.02. TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY.  
7 Section 901.006, Occupations Code, is amended to read as follows:

8           Sec. 901.006. APPLICATION OF SUNSET ACT. The Texas State  
9 Board of Public Accountancy is subject to Chapter 325, Government  
10 Code (Texas Sunset Act). Unless continued in existence as provided  
11 by that chapter, the board is abolished and this chapter expires  
12 September 1, 2019 [~~2015~~].

13           ARTICLE 4. ENTITIES GIVEN 2021 SUNSET DATE

14           SECTION 4.01. TEXAS INVASIVE SPECIES COORDINATING  
15 COMMITTEE. Section 776.007(a), Government Code, is amended to read  
16 as follows:

17           (a) The committee is subject to Chapter 325 (Texas Sunset  
18 Act). [~~The committee shall be reviewed during the periods in which  
19 the State Soil and Water Conservation Board is reviewed.~~] Unless  
20 continued in existence as provided by that chapter, the committee  
21 is abolished and this chapter expires September 1, 2021 [~~on the date  
22 on which that agency is subject to abolishment~~].

23           SECTION 4.02. DIVISION OF WORKERS' COMPENSATION OF TEXAS  
24 DEPARTMENT OF INSURANCE. Section 31.004(b), Insurance Code, is  
25 amended to read as follows:

26           (b) Unless continued as provided by Chapter 325, Government  
27 Code, the duties of the division of workers' compensation of the

1 Texas Department of Insurance under Title 5, Labor Code, expire  
2 September 1, 2021 [2017], or another date designated by the  
3 legislature.

4 SECTION 4.03. OFFICE OF INJURED EMPLOYEE COUNSEL. Section  
5 404.003, Labor Code, is amended to read as follows:

6 Sec. 404.003. SUNSET PROVISION. The office of injured  
7 employee counsel is subject to Chapter 325, Government Code (Texas  
8 Sunset Act). Unless continued in existence as provided by that  
9 chapter, the office is abolished and this chapter expires September  
10 1, 2021 [2017].

11 ARTICLE 5. ENTITIES REMOVED FROM SPECIFIC SUNSET REVIEW

12 SECTION 5.01. EARLY CHILDHOOD HEALTH AND NUTRITION  
13 INTERAGENCY COUNCIL. Section 116.002, Health and Safety Code, is  
14 amended to read as follows:

15 Sec. 116.002. REVIEW BY [~~APPLICATION OF~~] SUNSET ADVISORY  
16 COMMISSION [~~ACT~~]. The Sunset Advisory Commission shall review the  
17 [~~The~~] Early Childhood Health and Nutrition Interagency Council as  
18 part of its periodic review of the Department of Agriculture under  
19 [~~is subject to~~] Chapter 325, Government Code (Texas Sunset Act).  
20 [~~Unless continued in existence as provided by that chapter, the~~  
21 ~~council is abolished and this chapter expires September 1, 2019.~~]

22 ARTICLE 6. EFFECTIVE DATE

23 SECTION 6.01. EFFECTIVE DATE. This Act takes effect  
24 immediately if it receives a vote of two-thirds of all the members  
25 elected to each house, as provided by Section 39, Article III, Texas  
26 Constitution. If this Act does not receive the vote necessary for  
27 immediate effect, this Act takes effect September 1, 2013.

# ADOPTED

MAY 21 2013

*Lotay Spaw*  
Secretary of the Senate

By: *Robert Lee Nichols*

H.B. No. 1675

Substitute the following for H.B. No. 1675.

By: *Robert Lee Nichols*

C.S.H.B. No. 1675

## A BILL TO BE ENTITLED

1 AN ACT

2 relating to the sunset review process and certain governmental  
3 entities subject to that process.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 ARTICLE 1. ENTITIES GIVEN 2017 SUNSET DATE

6 SECTION 1.01. TEXAS DEPARTMENT OF TRANSPORTATION. Section  
7 201.204, Transportation Code, is amended to read as follows:

8 Sec. 201.204. SUNSET PROVISION. The Texas Department of  
9 Transportation is subject to Chapter 325, Government Code (Texas  
10 Sunset Act). Unless continued in existence as provided by that  
11 chapter, the department is abolished September 1, 2017 [~~2015~~].

12 SECTION 1.02. SULPHUR RIVER BASIN AUTHORITY. Chapter 3,  
13 Acts of the 69th Legislature, 1st Called Session, 1985, is amended  
14 by adding Section 1A to read as follows:

15 Sec. 1A. APPLICATION OF SUNSET ACT. (a) The authority is  
16 subject to review under Chapter 325, Government Code (Texas Sunset  
17 Act), as if it were a state agency. Unless the authority is  
18 continued in existence, the authority is abolished and this Act  
19 expires September 1, 2017.

20 (b) The review must assess the authority's governance,  
21 management, and operating structure and the authority's compliance  
22 with legislative requirements.

23 (c) The authority shall pay the costs incurred by the Sunset  
24 Advisory Commission in performing a review of the authority under

*[Faint handwritten text]*

1 this section. The Sunset Advisory Commission shall determine the  
2 costs, and the authority shall pay the amount promptly on receipt of  
3 a statement from the Sunset Advisory Commission detailing the  
4 costs.

5 (d) If the authority is abolished, the procedures under  
6 Chapter 325, Government Code (Texas Sunset Act), relating to  
7 winding up the affairs of a state agency after its abolishment apply  
8 to the authority.

9 ARTICLE 2. ENTITIES GIVEN 2019 SUNSET DATE

10 SECTION 2.01. REGIONAL EDUCATION SERVICE CENTERS. Section  
11 8.010, Education Code, is amended to read as follows:

12 Sec. 8.010. SUNSET PROVISION. Regional education service  
13 centers are subject to Chapter 325, Government Code (Texas Sunset  
14 Act). Unless continued in existence as provided by that chapter,  
15 the centers are abolished and this chapter expires September 1,  
16 2019 [~~2015~~].

17 SECTION 2.02. FINANCE COMMISSION OF TEXAS. Section 11.108,  
18 Finance Code, is amended to read as follows:

19 Sec. 11.108. SUNSET PROVISION. The finance commission is  
20 subject to Chapter 325, Government Code (Texas Sunset Act). Unless  
21 continued in existence as provided by that chapter, the commission  
22 is abolished September 1, 2019 [~~2015~~].

23 SECTION 2.03. OFFICE OF BANKING COMMISSIONER. Section  
24 12.109, Finance Code, is amended to read as follows:

25 Sec. 12.109. SUNSET PROVISION. The office of banking  
26 commissioner is subject to Chapter 325, Government Code (Texas  
27 Sunset Act). Unless continued in existence as provided by that

1 chapter, the office is abolished September 1, 2019 [~~2015~~].

2 SECTION 2.04. OFFICE OF SAVINGS AND MORTGAGE LENDING  
3 COMMISSIONER AND DEPARTMENT OF SAVINGS AND MORTGAGE LENDING.

4 Section 13.012, Finance Code, is amended to read as follows:

5 Sec. 13.012. SUNSET PROVISION. The office of savings and  
6 mortgage lending commissioner and the Department of Savings and  
7 Mortgage Lending are subject to Chapter 325, Government Code (Texas  
8 Sunset Act). Unless continued in existence as provided by that  
9 chapter, the office and department are abolished September 1, 2019  
10 [~~2015~~].

11 SECTION 2.05. OFFICE OF CONSUMER CREDIT COMMISSIONER.  
12 Section 14.066, Finance Code, is amended to read as follows:

13 Sec. 14.066. SUNSET PROVISION. The office is subject to  
14 Chapter 325, Government Code (Texas Sunset Act). Unless continued  
15 in existence as provided by that chapter, the office is abolished  
16 September 1, 2019 [~~2015~~].

17 SECTION 2.06. TEXAS WINDSTORM INSURANCE ASSOCIATION.  
18 Section 2210.002(b), Insurance Code, is amended to read as follows:

19 (b) The association is subject to review under Chapter 325,  
20 Government Code (Texas Sunset Act), but is not abolished under that  
21 chapter. The association shall be reviewed during the period in  
22 which state agencies abolished in 2019 [~~2015~~] are reviewed. The  
23 association shall pay the costs incurred by the Sunset Advisory  
24 Commission in performing the review of the association under this  
25 subsection. The Sunset Advisory Commission shall determine the  
26 costs of the review performed under this subsection, and the  
27 association shall pay the amount of those costs promptly on receipt



1 of a statement from the Sunset Advisory Commission regarding those  
2 costs. This subsection expires September 1, 2019 [~~2015~~].

3 SECTION 2.07. STATE SECURITIES BOARD. Subsection O,  
4 Section 2, The Securities Act (Article 581-2, Vernon's Texas Civil  
5 Statutes), is amended to read as follows:

6 O. The State Securities Board is subject to Chapter 325,  
7 Government Code (Texas Sunset Act). Unless continued in existence  
8 as provided by that chapter, the board is abolished and this Act  
9 expires September 1, 2019 [~~2015~~].

10 SECTION 2.08. TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY.  
11 Section 901.006, Occupations Code, is amended to read as follows:

12 Sec. 901.006. APPLICATION OF SUNSET ACT. The Texas State  
13 Board of Public Accountancy is subject to Chapter 325, Government  
14 Code (Texas Sunset Act). Unless continued in existence as provided  
15 by that chapter, the board is abolished and this chapter expires  
16 September 1, 2019 [~~2015~~].

17 ARTICLE 3. ENTITIES GIVEN 2021 SUNSET DATE

18 SECTION 3.01. TEXAS INVASIVE SPECIES COORDINATING  
19 COMMITTEE. Section 776.007(a), Government Code, is amended to read  
20 as follows:

21 (a) The committee is subject to Chapter 325 (Texas Sunset  
22 Act). [~~The committee shall be reviewed during the periods in which  
23 the State Soil and Water Conservation Board is reviewed.~~] Unless  
24 continued in existence as provided by that chapter, the committee  
25 is abolished and this chapter expires September 1, 2021 [~~on the date  
26 on which that agency is subject to abolishment~~].

27 SECTION 3.02. DIVISION OF WORKERS' COMPENSATION OF TEXAS

1 DEPARTMENT OF INSURANCE. Section 31.004(b), Insurance Code, is  
2 amended to read as follows:

3 (b) Unless continued as provided by Chapter 325, Government  
4 Code, the duties of the division of workers' compensation of the  
5 Texas Department of Insurance under Title 5, Labor Code, expire  
6 September 1, 2021 [~~2017~~], or another date designated by the  
7 legislature.

8 SECTION 3.03. OFFICE OF INJURED EMPLOYEE COUNSEL. Section  
9 404.003, Labor Code, is amended to read as follows:

10 Sec. 404.003. SUNSET PROVISION. The office of injured  
11 employee counsel is subject to Chapter 325, Government Code (Texas  
12 Sunset Act). Unless continued in existence as provided by that  
13 chapter, the office is abolished and this chapter expires September  
14 1, 2021 [~~2017~~].

15 ARTICLE 4. ENTITIES REMOVED FROM SPECIFIC SUNSET REVIEW

16 SECTION 4.01. EARLY CHILDHOOD HEALTH AND NUTRITION  
17 INTERAGENCY COUNCIL. Section 116.002, Health and Safety Code, is  
18 amended to read as follows:

19 Sec. 116.002. REVIEW BY [~~APPLICATION OF~~] SUNSET ADVISORY  
20 COMMISSION [~~ACT~~]. The Sunset Advisory Commission shall review the  
21 [The] Early Childhood Health and Nutrition Interagency Council as  
22 part of its periodic review of the Department of Agriculture under  
23 [is subject to] Chapter 325, Government Code (Texas Sunset Act).  
24 [Unless continued in existence as provided by that chapter, the  
25 council is abolished and this chapter expires September 1, 2019.]

26 ARTICLE 5. SUNSET REVIEW PROCESS

27 SECTION 5.01. Chapter 325, Government Code, is amended by

1 adding Section 325.0127 to read as follows:

2 Sec. 325.0127. COST OF REVIEW. (a) In this section,  
3 "self-directed semi-independent agency" means a state agency that  
4 has status as a self-directed semi-independent agency under the  
5 Self-Directed Semi-Independent Agency Project Act (Article 8930,  
6 Revised Statutes), Chapter 16, Finance Code, Chapter 1105,  
7 Occupations Code, or any other law. The term does not include the  
8 Texas Department of Insurance's actuarial division and financial  
9 examinations division as those terms are defined by Section  
10 401.251, Insurance Code.

11 (b) A self-directed semi-independent agency shall pay the  
12 costs incurred by the commission in performing a review of the  
13 agency under this chapter. The commission shall determine the  
14 costs of the review, and the agency shall pay the amount of those  
15 costs promptly on receipt of a statement from the commission  
16 regarding those costs.

17 SECTION 5.02. Section 325.019, Government Code, is amended  
18 by amending Subsection (b) and adding Subsection (c) to read as  
19 follows:

20 (b) In carrying out its functions under this chapter, the  
21 commission or its designated staff member may attend any meetings  
22 and proceedings of any state agency, including any meeting or  
23 proceeding of the governing body of the agency that is closed to the  
24 public, and may inspect the records, documents, and files of any  
25 state agency, including any record, document, or file that is:

26 (1) attorney work product;

27 (2) an attorney-client communication; or

1           (3) made privileged or confidential by law.

2           (c) It is the intent of the legislature to allow the  
3 commission and its designated staff members to have access to all  
4 meetings or proceedings of a state agency being reviewed by the  
5 commission under this chapter and to all records, documents, and  
6 files of that agency. To the extent that this section conflicts  
7 with other law that purports to limit the commission's access to  
8 meetings or proceedings or to records, documents, and files, this  
9 section controls. If federal law prohibits a state agency from  
10 disclosing information in a record, document, or file to the  
11 commission, including information in a record, document, or file  
12 created as a result of or considered during a meeting or proceeding,  
13 the state agency may redact the protected information from the  
14 record, document, or file.

15           SECTION 5.03. Section 325.0195, Government Code, is amended  
16 by adding Subsection (c) to read as follows:

17           (c) A state agency that provides the commission with a  
18 record, document, or file under Section 325.019 for purposes of a  
19 review under this chapter does not violate the attorney-client  
20 privilege, or any other privilege or confidentiality requirement  
21 protected or required by the Texas Constitution, common law,  
22 statutory law, or rules of evidence, procedure, or professional  
23 conduct, with respect to the record, document, or file provided to  
24 the commission.

25                                   ARTICLE 6. EFFECTIVE DATE

26           SECTION 6.01. EFFECTIVE DATE. This Act takes effect  
27 immediately if it receives a vote of two-thirds of all the members

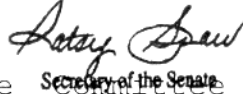
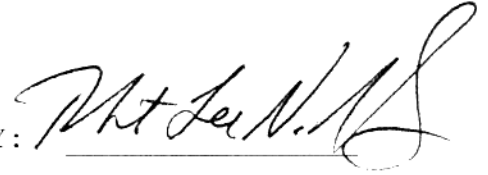
1 elected to each house, as provided by Section 39, Article III, Texas  
2 Constitution. If this Act does not receive the vote necessary for  
3 immediate effect, this Act takes effect September 1, 2013.

# ADOPTED

FLOOR AMENDMENT NO. 1

MAY 21 2013

BY:



Secretary of the Senate

1 Amend H.B. 1675 (Senate ~~Committee~~ Report version), by  
2 striking SECTION 5.03 of the bill (page 3, line 64 through page  
3 4, line 4), and replacing with the following:

4 SECTION 5.03. Section 325.0195, Government Code, is  
5 amended by adding Subsection (c), (c-1) and (c-2) to read as  
6 follows:

7 (c) A state agency that provides the commission with  
8 access to a privileged or confidential communication, record,  
9 document, or file under Section 325.019 for purposes of a review  
10 under this chapter does not waive the attorney-client privilege,  
11 or any other privilege or confidentiality requirement protected  
12 or required by the Texas Constitution, common law, statutory  
13 law, or rules of evidence, procedure, or professional conduct,  
14 with respect to the communication, record, document, or file  
15 provided to the commission. For purposes of this subsection, a  
16 communication includes, but is not limited to, a discussion that  
17 occurs at a meeting or proceeding of the state agency that is  
18 closed to the public.

19 (c-1) The state agency may require the commission or the  
20 members of the commission's staff who view, handle or are privy  
21 to information, or who attend a meeting that is not accessible  
22 to the public, to sign a confidentiality agreement that covers  
23 the information and requires that:

24 (1) the information not be disclosed outside the  
25 commission for purposes other than the purpose for which it was  
26 received;

27 (2) the information be labeled as confidential;

28 (3) the information be kept securely; or

29 (4) the number of copies made of the information or

1 the notes taken from the information that implicate the  
2 confidential nature of the information be controlled, with all  
3 copies or notes that are not destroyed or returned to the  
4 governmental body remaining confidential and subject to the  
5 confidentiality agreement.

6 (c-2) A person who obtains access to confidential  
7 information under this subsection commits an offense if the  
8 officer or employee knowingly:

9 (1) uses the confidential information for a  
10 purpose other than the purpose for which the information was  
11 received or for a purpose unrelated to the law that permitted  
12 the officer or employee to obtain access to the information,  
13 including solicitation of political contributions or  
14 solicitation of clients;

15 (2) permits inspection of the confidential  
16 information by a person who is not authorized to inspect the  
17 information; or

18 (3) discloses the confidential information to a  
19 person who is not authorized to receive the information.

*Robert Lee Nichols*

FLOOR AMENDMENT NO. 2

**ADOPTED**

BY: \_\_\_\_\_

MAY 21 2013

1 Amend C.S.H.B No 1675 (senate committee printing) on page 3 line

2 64 by adding 325.019(d) Government Code which reads as follows:

*Letty Spaul*  
Secretary of the Senate

3 (d) Subsections (b) and (c) of this section shall not apply to

4 meetings of a state agency regulating a bank as that term is

5 defined in Section 201.002, Finance Code, that relate to the

6 subject of bank closings, sales, or mergers.



# ADOPTED

MAY 21 2013

FLOOR AMENDMENT NO. 3

*Atty Gen*  
Secretary of the Senate

BY: *[Signature]*

1 Amend C.S.H.B. No. 1675 (senate committee printing) by adding  
2 the following appropriately numbered ARTICLE to the bill and  
3 renumbering subsequent ARTICLES of the bill as appropriate:

4 ARTICLE \_\_. ENTITIES GIVEN 2015 SUNSET DATE

5 SECTION \_\_. TEXAS EDUCATION AGENCY. (a) Section 7.004,  
6 Education Code, is amended to read as follows:

7 Sec. 7.004. SUNSET PROVISION. The Texas Education Agency  
8 is subject to Chapter 325, Government Code (Texas Sunset  
9 Act). Unless continued in existence as provided by that chapter,  
10 the agency is abolished September 1, 2015 [~~2013~~].

11 (b) This section takes effect only if the 83rd Legislature,  
12 Regular Session, 2013, does not enact other legislation that  
13 becomes law and that amends Section 7.004, Education Code, to  
14 extend the sunset date of the Texas Education Agency. If the 83rd  
15 Legislature, Regular Session, 2013, enacts legislation of that  
16 kind, this section has no effect.

17 (c) The Sunset Advisory Commission shall limit its review of  
18 the Texas Education Agency in preparation for the work of the 84th  
19 Legislature in Regular Session to the appropriateness of  
20 recommendations made by the commission to the 83rd Legislature. In  
21 the commission's report to the 84th Legislature, the commission may  
22 include any recommendations it considers appropriate. This  
23 subsection expires September 1, 2015.

# ADOPTED

FLOOR AMENDMENT NO. 4

MAY 21 2013

BY:

Wendy R Davis

1 Amend Amendment No. 3

Secretary of the Senate

by Patrick

to C.S.H.B. No.

2 1675 (senate committee printing) in the added SECTION relating  
3 to the Texas Education Agency (page 1, after line 23) by adding  
4 the following:

5 (d) Subchapter B, Chapter 39, Education Code, is amended  
6 by adding Section 39.038 to read as follows:

7 Sec. 39.038. SUNSET REVIEW OF CONTRACTING PROCEDURES FOR  
8 ASSESSMENT INSTRUMENTS. The Sunset Advisory Commission shall  
9 evaluate the contracting procedures used by the agency to enter  
10 into a contract with a provider to develop or administer  
11 assessment instruments required by Section 39.023 and present to  
12 the 84th Legislature a report on its evaluation and  
13 recommendations in relation to the contracting procedures. This  
14 section expires September 1, 2015.

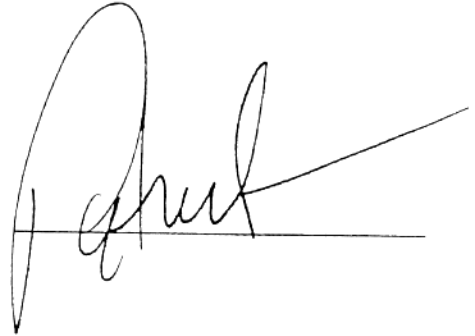
**ADOPTED**

18-11

MAY 21 2013

*Atty Gen*  
Secretary of the Senate

FLOOR AMENDMENT NO. 5

BY: 

1 Amend C.S.H.B. No. 1675 (senate committee printing) by adding  
2 the following appropriately numbered ARTICLE to the bill and  
3 renumbering subsequent ARTICLES of the bill as appropriate:

4 ARTICLE \_\_. ENTITIES GIVEN 2015 SUNSET DATE

5 SECTION \_\_.\_\_\_\_. UNIVERSITY INTERSCHOLASTIC LEAGUE.

6 Section 33.083, Education Code, is amended by adding Subsection (e)  
7 to read as follows:

8 (e) The University Interscholastic League is subject to  
9 review under Chapter 325, Government Code (Texas Sunset Act), but  
10 is not abolished under that chapter. The University  
11 Interscholastic League shall be reviewed during the period in which  
12 state agencies abolished in 2015 are reviewed. The University  
13 Interscholastic League shall pay the costs incurred by the Sunset  
14 Advisory Commission in performing the review under this subsection.  
15 The Sunset Advisory Commission shall determine the costs of the  
16 review performed under this subsection, and the University  
17 Interscholastic League shall pay the amount of those costs promptly  
18 on receipt of a statement from the Sunset Advisory Commission  
19 regarding those costs. This subsection expires September 1, 2015.

# ADOPTED

MAY 21 2013

FLOOR AMENDMENT NO. 7

*Atty Gen*  
Secretary of the Senate

BY:

*W. Mitnick*

Amend C.S.H.B. No. 1675 (senate committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill as appropriate:

ARTICLE \_\_. ENTITIES GIVEN 2015 SUNSET DATE

SECTION \_\_. \_\_. TEXAS FACILITIES COMMISSION. (a) Section 2152.002, Government Code, is amended to read as follows:

Sec. 2152.002. SUNSET PROVISION. The Texas Facilities [~~Building and Procurement~~] Commission is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this subtitle, except for Chapter 2170 and Section 2157.121, expires September 1, 2015 [~~2013~~].

(b) The Sunset Advisory Commission shall limit its review of the Texas Facilities Commission in preparation for the work of the 84th Legislature in Regular Session to the appropriateness of recommendations made by the commission to the 83rd Legislature. In the commission's report to the 84th Legislature, the commission may include any recommendations it considers appropriate. This subsection expires September 1, 2015.

# ADOPTED

MAY 21 2013

*Atty. Gen.*  
Secretary of the Senate

FLOOR AMENDMENT NO. 8

BY: W. Mitnick

1 Amend C.S.H.B. No. 1675 (senate committee printing) by adding  
2 the following appropriately numbered ARTICLE to the bill and  
3 renumbering subsequent ARTICLES of the bill as appropriate:

4 ARTICLE \_\_. ENTITIES GIVEN 2015 SUNSET DATE

5 SECTION \_\_\_\_\_. PORT OF HOUSTON AUTHORITY. (a) Sections 9(a)  
6 and (d), Chapter 97, Acts of the 40th Legislature, 1st Called  
7 Session, 1927, as added by Section 1.10, Chapter 1232, Acts of the  
8 82nd Legislature, Regular Session, 2011, are amended to read as  
9 follows:

10 (a) The Port of Houston Authority of Harris County, Texas,  
11 is subject to review under Chapter 325, Government Code (Texas  
12 Sunset Act), as if it were a state agency but may not be abolished  
13 under that chapter. The review shall be conducted as if the  
14 authority were scheduled to be abolished September 1, 2015 [~~2013~~].

15 (d) This section expires September 1, 2015 [~~2013~~].

16 (b) Section 9, Chapter 97, Acts of the 40th Legislature, 1st  
17 Called Session, 1927, as added by Section 22, Chapter 1027, Acts of  
18 the 82nd Legislature, Regular Session, 2011, is repealed.

19 (c) This section takes effect only if the 83rd Legislature,  
20 Regular Session, 2013, does not enact other legislation that  
21 becomes law and that amends or repeals Sections 9(a) and (d),  
22 Chapter 97, Acts of the 40th Legislature, 1st Called Session, 1927,  
23 as added by Section 1.10, Chapter 1232, Acts of the 82nd  
24 Legislature, Regular Session, 2011. If the 83rd Legislature,  
25 Regular Session, 2013, enacts legislation of that kind, this  
26 section has no effect.

# ADOPTED

MAY 21 2013

FLOOR AMENDMENT NO. 9

*Atty Gen*  
Secretary of the Senate  
BY *J. J. King*

Amend C.S.H.B. No. 1675 (senate committee report) by adding the following appropriately numbered article to the bill and renumbering the articles of the bill accordingly:

ARTICLE \_\_\_\_ . STUDY CONCERNING SELF-DIRECTED SEMI-INDEPENDENT  
STATUS OF STATE AGENCIES

SECTION \_\_\_\_ .01. STUDY AND REPORT. (a) In this section, "commission" means the Sunset Advisory Commission.

(b) The commission shall conduct a study concerning the self-directed semi-independent status of state agencies.

(c) The study must address:

(1) criteria and a process to be used in determining whether a state agency should be given self-directed semi-independent status;

(2) criteria and a process to be used in determining whether the self-directed semi-independent status of a state agency should be revoked;

(3) measures to ensure adequate state oversight of state agencies with self-directed semi-independent status;

(4) reporting requirements for state agencies with self-directed semi-independent status;

(5) procedures for a state agency with self-directed semi-independent status to contract with and to pay for services received from another state agency;

(6) review of a state agency's self-directed semi-independent status as part of the agency's sunset review;

(7) appropriations issues related to a state agency's transition to self-directed semi-independent status;

(8) appropriations issues related to a state agency's transition from self-directed semi-independent status to regular state agency status; and

(9) criteria to review complaint procedures and the disposition of complaints by a state agency with self-directed semi-independent status.

(d) In conducting the study, the commission shall consult with the Legislative Budget Board.

(e) At the commission's request, a state agency shall provide information and assistance to the commission in conducting the study under this section.

(f) Not later than December 31, 2014, the commission shall submit a report on the commission's findings and recommendations to:

- (1) the governor;
- (2) the lieutenant governor; and
- (3) each member of the legislature.

(g) This section expires September 1, 2015.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 23, 2013**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB1675** by Bonnen, Dennis (Relating to the sunset review process and certain governmental entities subject to that process. ), **As Passed 2nd House**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1675, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Six-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0
2019	\$0

**All Funds, Six-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from <i>Appropriated Receipts</i> 666	Probable Revenue Gain/(Loss) from <i>Appropriated Receipts</i> 666	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Probable Revenue Gain/(Loss) from <i>General Revenue Fund</i> 1
2014	(\$165,228)	\$165,228	(\$76,656)	\$76,656
2015	(\$17,248)	\$17,248	\$0	\$0
2016	(\$272,827)	\$272,827	\$0	\$0
2017	(\$29,758)	\$29,758	\$0	\$0
2018	(\$130,357)	\$130,357	\$0	\$0
2019	(\$14,373)	\$14,373	\$0	\$0



Fiscal Year	Change in Number of State Employees from FY 2013
2014	1.5
2015	1.5
2016	2.0
2017	2.0
2018	3.0
2019	3.0

## Fiscal Analysis

The bill would amend various Codes and Acts relating to governmental entities subject to the sunset review. The bill would address the Sunset Advisory Commission's (SAC) access to confidential state agency records and information. The bill would also require sunset reviews and establish a sunset date for the University Interscholastic League (UIL) of September 1, 2015, and the Sulphur River Basin Authority (SRBA) of September 1, 2017. The bill would require both of these entities and self-directed and semi-independent (SDSI) agencies to pay the SAC for the cost of performing the required reviews.

The bill would change previously established sunset dates for certain entities. The bill would change the sunset dates for the Port of Houston Authority (POHA), the Texas Education Agency (with scope of review restrictions), and the Texas Facilities Commission to September 1, 2015. The change for the POHA would be contingent upon the 83<sup>rd</sup> Legislature not enacting other legislation amending or repealing certain laws specified in the bill. The bill would change the sunset date for the Department of Transportation to September 1, 2017. The bill would change the sunset date to September 1, 2019 for the Regional Education Service Centers, the Finance Commission, the Office of Banking Commissioner (OBC), the Office of the Commissioner and the Department of Savings and Mortgage Lending (DSML), the Office of Consumer Credit Commissioner (OCCC), the Texas Windstorm Insurance Association (TWIA), the State Securities Board, and the Texas State Board of Public Accountancy. The bill would change the sunset date to September 1, 2021 for the Texas Invasive Species Coordinating Committee, the Division of Workers' Compensation of the Texas Department of Insurance, and the Office of Injured Employee Counsel. The bill would require the Early Childhood Health and Nutrition Interagency Council sunset review to be conducted with the review for the Department of Agriculture.

The bill would also require the SAC to conduct a study, in consultation with the Legislative Budget Board, and issue a report regarding the SDSI status of state agencies. The bill would require the report to address several issues, including: (1) the criteria and process for determining whether an agency should be given SDSI status and whether that status should be revoked; (2) measures to ensure adequate oversight of SDSI agencies; and (3) appropriations issues related to an agency's transition to or from SDSI status. The bill would require the Sunset Commission to submit the report to the Governor, Lieutenant Governor, and each member of the legislature not later than August 31, 2014.

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect September 1, 2013.

## Methodology

This analysis is based on costs realized by the SAC for the 2012-13 special purpose review of the POHA. Based on that information, it is assumed that costs of \$9,582 would be realized per analyst

assigned to a review team for each month required to conduct a review. This amount includes the costs for salaries, benefits, and other operating costs necessary for staff to conduct these reviews. Travel costs are reflected separately below based on the project location. This analysis also assumes that approximately 90 percent of the review time for each project would be required in the first fiscal year of the respective biennium and the remaining 10 percent would be required in the following fiscal year.

Based on information provided by the SAC, it is assumed that the review for the UIL review would be in addition to other projects scheduled for fiscal years 2014-15 and the SRBA would be in addition to other projects scheduled for fiscal years 2016-17. As such, these would require additional Full-Time-Equivalent positions in fiscal years 2014-17. Similarly, it is also assumed that the reviews for the TWIA, the Finance Commission, OBC, DSML, and the OCCC would be in addition to other projects scheduled for fiscal years 2018-19 and as such would require additional Full-Time-Equivalent positions in each of those years.

Also based on information provided by the SAC, the following is assumed for projects for which the SAC would be reimbursed for performing reviews. These costs and revenues from payments to the SAC as a reimbursement for the special reviews are reflected as Appropriated Receipts in the table above.

- 1) Three analysts would be necessary for the UIL review which would last 6 months with travel costs of \$10,000. Total costs for this project would include \$165,228 in fiscal year 2014 and \$17,248 in fiscal year 2015.
- 2) Travel costs the POHA review which would total \$10,118. Total costs for this project would include \$216,084 in fiscal year 2016 and \$24,009 in fiscal year 2017.
- 3) Two analysts would be necessary for the SRBA review which would last 3 months with travel costs of \$5,000. Total costs for this project would include \$56,743 in fiscal year 2016 and \$5,749 in fiscal year 2017.
- 4) Three analysts would be necessary for the TWIA review which would last 5 months with travel costs of \$1,000. Total costs for this project would include \$130,357 in fiscal year 2018 and \$14,373 in fiscal year 2019.
- 5) Two analysts would be necessary for the OBC review which would last 5 months with travel costs of \$1,000. Total costs for this project would include \$87,238 in fiscal year 2018 and \$9,582 in fiscal year 2019.
- 6) Two analysts would be necessary for the DSML review which would last 5 months with travel costs of \$1,000. Total costs for this project would include \$87,238 in fiscal year 2018 and \$9,582 in fiscal year 2019.
- 7) Two analysts would be necessary for the OCCC review which would last 5 months with travel costs of \$1,000. Total costs for this project would include \$87,238 in fiscal year 2018 and \$9,582 in fiscal year 2019.

This analysis assumes there would be no fiscal impact to the state for changing previously established sunset dates for other entities included in the bill.

Based on information provided by the SAC, the SDSI study report required by the provisions of the bill would require two full-time staff to conduct a four month review, resulting in a total cost

of \$76,656 in fiscal year 2014 in General Revenue Funds.

**Local Government Impact**

This analysis assumes the SRBA would realize reimbursement costs of conducting a special review and those costs would be \$56,743 in fiscal year 2016 and \$5,749 in fiscal year 2017. In addition, it is assumed that the POHA would realize costs of conducting a special review and those costs would be \$216,084 in fiscal year 2016 and \$24,009 in fiscal year 2017.

**Source Agencies:** 116 Sunset Advisory Commission, 508 Board of Chiropractic Examiners,  
720 The University of Texas System Administration

**LBB Staff:** UP, AG, MW, KJo

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 17, 2013**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1675** by Bonnen, Dennis (Relating to the sunset review process and certain governmental entities subject to that process.), **Committee Report 2nd House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1675, Committee Report 2nd House, Substituted: an impact of \$0 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Six-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0
2019	\$0

**All Funds, Six-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from <i>Appropriated Receipts</i> 666	Probable Revenue Gain/(Loss) from <i>Appropriated Receipts</i> 666	Change in Number of State Employees from FY 2013
2014	\$0	\$0	0.0
2015	\$0	\$0	0.0
2016	(\$56,743)	\$56,743	2.0
2017	(\$5,749)	\$5,749	2.0
2018	(\$392,071)	\$392,071	7.0
2019	(\$43,119)	\$43,119	7.0

## **Fiscal Analysis**

The bill would amend various Codes and Acts relating to governmental entities subject to the sunset review. The bill would address the Sunset Advisory Commission's (SAC) access to confidential state agency records. The bill would also require a sunset review and establish a sunset date for the Sulphur River Basin Authority (SRBA) of September 1, 2017. The bill would require the river authority to pay the SAC for the cost of performing the required review. The bill would also require self-directed and semi-independent agencies to pay the SAC for the cost of performing the required review.

The bill would change previously established sunset dates for certain entities. The bill would change the sunset date for the Department of Transportation to September 1, 2017. The bill would change the sunset date to September 1, 2019 for the Regional Education Service Centers, the Finance Commission, the Office of Banking Commissioner (OBC), the Office of the Commissioner and the Department of Savings and Mortgage Lending (DSML), the Office of Consumer Credit Commissioner (OCCC), the Texas Windstorm Insurance Association (TWIA), the State Securities Board, and the Texas State Board of Public Accountancy. The bill would change the sunset date to September 1, 2021 for the Texas Invasive Species Coordinating Committee, the Division of Workers' Compensation of the Texas Department of Insurance, and the Office of Injured Employee Counsel. The bill would require the Early Childhood Health and Nutrition Interagency Council sunset review to be conducted with the review for the Department of Agriculture.

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect September 1, 2013.

## **Methodology**

This analysis is based on costs realized by the Sunset Advisory Commission for the 2012-13 special purpose review of the Port of Houston Authority. Based on that information, it is assumed that costs of \$9,582 would be realized per analyst assigned to a review team for each month required to conduct a review. This amount includes the costs for salaries, benefits, and other operating costs necessary for staff to conduct these reviews. Travel costs are reflected separately below based on the project location. This analysis also assumes that approximately 90 percent of the review time for each project would be required in the first fiscal year of the respective biennium and the remaining 10 percent would be required in the following fiscal year.

Based on information provided by the Sunset Advisory Commission, it is assumed that the review for the SRBA would be in addition to other projects scheduled for fiscal years 2016-17 and as such would require an additional two Full-Time-Equivalent positions in each of those years. Similarly, it is also assumed that the reviews for the TWIA, the Finance Commission, OBC, DSML, and the OCCC would be in addition to other projects scheduled for fiscal years 2018-19 and as such would require an additional seven Full-Time-Equivalent positions in each of those years.

Also based on information provided by the SAC, the following is assumed for projects for which the SAC would be reimbursed for performing reviews. These costs and revenues from payments to the SAC as a reimbursement for the special reviews are reflected as Appropriated Receipts in the table above.

- 1) Two analysts would be necessary for the SRBA review which would last 3 months with travel costs of \$5,000. Total costs for this project would include \$56,743 in fiscal year 2016 and \$5,749 in fiscal year 2017.

- 2) Three analysts would be necessary for the TWIA review which would last 5 months with travel costs of \$1,000. Total costs for this project would include \$130,357 in fiscal year 2018 and \$14,373 in fiscal year 2019.
- 3) Two analysts would be necessary for the OBC review which would last 5 months with travel costs of \$1,000. Total costs for this project would include \$87,238 in fiscal year 2018 and \$9,582 in fiscal year 2019.
- 4) Two analysts would be necessary for the DSML review which would last 5 months with travel costs of \$1,000. Total costs for this project would include \$87,238 in fiscal year 2018 and \$9,582 in fiscal year 2019.
- 5) Two analysts would be necessary for the OCCC review which would last 5 months with travel costs of \$1,000. Total costs for this project would include \$87,238 in fiscal year 2018 and \$9,582 in fiscal year 2019.

This analysis assumes there would be no fiscal impact to the state for changing previously established sunset dates for other entities included in the bill.

### **Local Government Impact**

This analysis assumes the Sulphur River Basin Authority would realize reimbursement costs of \$56,743 in fiscal year 2016 and \$5,749 in fiscal year 2017 for the same purpose.

**Source Agencies:** 116 Sunset Advisory Commission, 508 Board of Chiropractic Examiners,  
720 The University of Texas System Administration

**LBB Staff:** UP, AG, MW, KJo

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 14, 2013**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1675** by Bonnen, Dennis (Relating to governmental entities subject to the sunset review process.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1675, As Engrossed: an impact of \$0 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from <i>Appropriated Receipts</i> 666	Probable Revenue Gain/(Loss) from <i>Appropriated Receipts</i> 666	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Probable Revenue Gain/(Loss) from <i>General Revenue Fund</i> 1
2014	(\$296,961)	\$296,961	(\$104,236)	\$104,236
2015	(\$30,663)	\$30,663	(\$11,498)	\$11,498
2016	\$0	\$0	\$0	\$0
2017	\$0	\$0	\$0	\$0
2018	\$0	\$0	\$0	\$0

Fiscal Year	Change in Number of State Employees from FY 2013
2014	3.0
2015	3.0
2016	0.0
2017	0.0
2018	0.0

**Fiscal Analysis**

The bill would amend various Codes and Acts relating to governmental entities subject to the sunset review. The bill would require sunset reviews and establish sunset dates for the University Interscholastic League, the Clear Lake City Water Authority, and the Sulphur River Basin Authority. The bill would require these entities to pay the Sunset Advisory Commission for the cost of performing the required reviews.

The bill would also change previously established sunset dates for certain entities. The bill would change the sunset date for the Board of Chiropractic Examiners from 2017 to 2015, and would require the agency to pay for the cost of its review. The bill would change the sunset date for the Department of Transportation to September 1, 2017. The bill would change the sunset date to September 1, 2019 for the Regional Education Service Centers and the Texas State Board of Public Accountancy. The bill would change the sunset date to September 1, 2021 for the Texas Invasive Species Coordinating Committee, the Division of Workers' Compensation of the Texas Department of Insurance, and the Office of Injured Employee Counsel. The bill would require the Early Childhood Health and Nutrition Interagency Council sunset review to be conducted with the review for the Department of Agriculture.

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect September 1, 2013.

**Methodology**

For the purposes of this analysis, it is assumed that reviews for the University Interscholastic League, the Clear Lake City Water Authority, and the Sulphur River Basin Authority reviews would be in addition to other projects scheduled for fiscal years 2014-15 and as such would require an additional three Full-Time-Equivalent positions in each of those years. In addition, the analysis concerning these three entities is based on costs realized by the Sunset Advisory Commission for the 2012-13 special purpose review of the Port of Houston Authority. Based on that information, it is assumed that costs of \$9,582 would be realized per analyst assigned to a review team for each month required to conduct a review. This amount includes the costs for salaries, benefits, and other operating costs necessary for staff to conduct these reviews. Travel costs are reflected separately below for fiscal year 2014 for each individual project as they vary depending on location. This analysis also assumes that approximately 90 percent of the review time for each project would be required in fiscal year 2014 and the remaining 10 percent would be required in fiscal year 2015.

Based on information provided by the Sunset Advisory Commission, it is assumed that three analysts would be necessary for the University Interscholastic League review which would require six months with travel costs of \$10,000. Total costs for this project would total \$165,228 in fiscal year 2014 and \$17,248 in fiscal year 2015. Regarding the Clear Lake City Water Authority, it is assumed that two analysts would be necessary for the review which would last 4 months with



travel costs of \$6,000. Total costs for this project would total \$74,990 in fiscal year 2014 and \$7,666 in fiscal year 2015. Regarding the Sulphur River Basin Authority, it is assumed that two analysts would be necessary for the review which would last 3 months with travel costs of \$5,000. Total costs for this project would total \$56,743 in fiscal year 2014 and \$5,749 in fiscal year 2015. These costs and revenues from payments to the Sunset Advisory Commission as a reimbursement for the special reviews are reflected as Appropriated Receipts in the table above.

This analysis also assumes the Board of Chiropractic Examiners review would be in addition to other projects scheduled for fiscal years 2014-15 and that two full-time staff would be dedicated to conduct a six month review of the agency. Based on information provided by the Sunset Advisory Commission, it is assumed that this review would cost \$104,236 in fiscal year 2014 and \$11,498 in fiscal year 2015 from the General Revenue Fund. Since the Board of Chiropractic Examiners is statutorily required to generate revenues sufficient to cover its operational costs, this analysis assumes the agency would adjust fees as necessary to pay for the required review.

This analysis assumes there would be no fiscal impact to the state for changing previously established sunset dates for other entities included in the bill.

### **Local Government Impact**

This analysis assumes the Clear Lake City Water Authority would need to reimburse the Sunset Advisory Commission for the cost of conducting a special review and those costs would be \$74,990 in fiscal year 2014 and \$7,666 in fiscal year 2015. Similarly, it is also assumed that the Sulphur River Basin Authority would realize reimbursement costs of \$56,743 in fiscal year 2014 and \$5,749 in fiscal year 2015 for the same purpose.

**Source Agencies:** 116 Sunset Advisory Commission, 508 Board of Chiropractic Examiners,  
720 The University of Texas System Administration

**LBB Staff:** UP, AG, MW, KJo

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 27, 2013**

**TO:** Honorable Linda Harper-Brown, Chair, House Committee on Government Efficiency & Reform

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** HB1675 by Bonnen, Dennis (Relating to governmental entities subject to the sunset review process. ), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1675, Committee Report 1st House, Substituted: an impact of \$0 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from Appropriated Receipts 666	Probable Revenue Gain/(Loss) from Appropriated Receipts 666	Change in Number of State Employees from FY 2013
2014	(\$296,961)	\$296,961	3.0
2015	(\$30,663)	\$30,663	3.0
2016	\$0	\$0	0.0
2017	\$0	\$0	0.0
2018	\$0	\$0	0.0

**Fiscal Analysis**

The bill would amend various Codes and Acts relating to governmental entities subject to the sunset review. The bill would require sunset reviews and establish sunset dates for the University

Interscholastic League, the Clear Lake City Water Authority, and the Sulphur River Basin Authority. The bill would require these entities to pay the Sunset Advisory Commission for the cost of performing the required reviews.

The bill would also change previously established sunset dates for certain entities. The bill would change the sunset date for the Department of Transportation to September 1, 2017. The bill would change the sunset date to September 1, 2019 for the Regional Education Service Centers and the Texas State Board of Public Accountancy. The bill would change the sunset date to September 1, 2021 for the Texas Invasive Species Coordinating Committee, the Texas Council on Purchasing from People with Disabilities, the Division of Workers' Compensation of the Texas Department of Insurance, and the Office of Injured Employee Counsel. The bill would require the Early Childhood Health and Nutrition Interagency Council sunset review to be conducted with the review for the Department of Agriculture.

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect September 1, 2013.

### **Methodology**

For the purposes of this analysis, it is assumed that reviews for the University Interscholastic League, the Clear Lake City Water Authority, and the Sulphur River Basin Authority reviews would be in addition to other projects scheduled for fiscal years 2014-15 and as such would require an additional three Full-Time-Equivalent positions in each of those years. In addition, this analysis is based on costs realized by the Sunset Advisory Commission for the 2012-13 special purpose review of the Port of Houston Authority. Based on that information, it is assumed that costs of \$9,582 would be realized per analyst assigned to a review team for each month required to conduct a review. This amount includes the costs for salaries, benefits, and other operating costs necessary for staff to conduct these reviews. Travel costs are reflected separately below for fiscal year 2014 for each individual project as they vary depending on location. This analysis also assumes that approximately 90 percent of the review time for each project would be required in fiscal year 2014 and the remaining 10 percent would be required in fiscal year 2015.

Based on information provided by the Sunset Advisory Commission, it is assumed that three analysts would be necessary for the University Interscholastic League review which would require six months with travel costs of \$10,000. Total costs for this project would total \$165,228 in fiscal year 2014 and \$17,248 in fiscal year 2015. Regarding the Clear Lake City Water Authority, it is assumed that two analysts would be necessary for the review which would last 4 months with travel costs of \$6,000. Total costs for this project would be \$74,990 in fiscal year 2014 and \$7,666 in fiscal year 2015. Regarding the Sulphur River Basin Authority, it is assumed that two analysts would be necessary for the review which would last 3 months with travel costs of \$5,000. Total costs for this project would total \$56,743 in fiscal year 2014 and \$5,749 in fiscal year 2015. These costs and revenues from payments to the Sunset Advisory Commission as a reimbursement for the special reviews are reflected as Appropriated Receipts in the table above.

This analysis assumes there would be no fiscal impact to the state for changing previously established sunset dates for other entities included in the bill.

### **Local Government Impact**

This analysis assumes the Clear Lake City Water Authority would need to reimburse the Sunset Advisory Commission for the cost of conducting a special review and those costs would be

\$74,990 in fiscal year 2014 and \$7,666 in fiscal year 2015. Similarly, it is also assumed that the Sulphur River Basin Authority would realize reimbursement costs of \$56,743 in fiscal year 2014 and \$5,749 in fiscal year 2015 for the same purpose.

**Source Agencies:** 116 Sunset Advisory Commission, 720 The University of Texas System Administration

**LBB Staff:** UP, KJo, MW

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 17, 2013**

**TO:** Honorable Linda Harper-Brown, Chair, House Committee On Government Efficiency & Reform

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1675** by Bonnen, Dennis (Relating to governmental entities subject to the sunset review process.), **As Introduced**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 116 Sunset Advisory Commission, 551 Department of Agriculture

**LBB Staff:** UP, KJo, MW