

## **BILL ANALYSIS**

C.S.H.B. 799  
By: Capriglione  
State & Federal Power & Responsibility, Select  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There is concern that federal regulations created by unelected federal bureaucrats are costing Texas taxpayers more each year in jobs and economic opportunity, which negatively impacts standards of living for Texans. Despite this impact, interested parties note that the direct and indirect costs of federal regulations and mandates are not readily apparent to taxpayers. Determining the cost to Texans of such federal regulations and mandates, it is asserted, is a first step toward addressing such federal overreach. C.S.H.B. 799 seeks to address this concern.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 799 amends the Government Code to require the Legislative Budget Board (LBB), in accordance with a schedule adopted by the LBB, to conduct a single study for each state agency relating to the effects federal regulations and mandates enacted by federal law have on that agency. The bill sets out the required information to be included in those studies and requires the LBB, following the study for an agency, to deliver a report of the LBB's findings and recommendations to the legislature.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 799 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### **INTRODUCED**

SECTION 1. STUDY OF EFFECT ON  
THE STATE OF FEDERAL  
REGULATIONS AND FEDERAL LAW

#### **HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Chapter 322, Government  
Code, is amended by adding Section  
322.0176 to read as follows:

84R 23451

15.105.970

Substitute Document Number: 84R 17454

MANDATES.

The **comptroller** shall conduct a study relating to the effects federal regulations and mandates enacted by federal law have on **the state**

that includes:

- (1) a cost-benefit analysis on the impact of **state** compliance with federal regulations, including a comparison of the direct and indirect costs of regulatory compliance with the amount of federal funds received by the **state** for the purpose of regulatory compliance;
- (2) a list of all mandates enacted by federal law, including a federal regulation, for which the federal government has not provided reimbursement sufficient to cover the costs of implementing or otherwise complying with the mandate; and
- (3) recommendations for reducing the federal regulatory burden on the **state** and citizens of this state, including proposals for state or federal legislation or litigation against specific federal agencies.

SECTION 2. REPORT. **Not later than December 31, 2016,** the **comptroller** shall deliver a report of the **comptroller's** findings and recommendations to the legislature.

SECTION 3. EXPIRATION. This Act expires February 1, 2017.

SECTION 4. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Sec. 322.0176. STUDY OF EFFECT ON STATE AGENCIES OF FEDERAL REGULATIONS AND FEDERAL LAW MANDATES. (a) The board shall conduct a single study for each state agency relating to the effects federal regulations and mandates enacted by federal law have on that agency. The board shall conduct the studies in accordance with a schedule adopted by the board.

(b) For each agency, the study must include:

- (1) a cost-benefit analysis on the impact of agency compliance with federal regulations, including a comparison of the direct and indirect costs of regulatory compliance with the amount of federal funds received by the agency for the purpose of regulatory compliance;
- (2) a list of all mandates enacted by federal law, including a federal regulation, for which the federal government has not provided reimbursement sufficient to cover the costs incurred by the agency of implementing or otherwise complying with the mandate; and
- (3) recommendations for reducing the federal regulatory burden on the agency and citizens of this state, including proposals for state or federal legislation or litigation against specific federal agencies.

(c) Following the study for an agency conducted under Subsection (a), the board shall deliver a report of the board's findings and recommendations to the legislature.

**No equivalent provision.**

SECTION 2. Same as introduced version.