

1-1 By: Otto, et al. (Senate Sponsor - Nelson) H.B. No. 5
 1-2 (In the Senate - Received from the House April 9, 2015;
 1-3 April 21, 2015, read first time and referred to Committee on
 1-4 Finance; May 15, 2015, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 11, Nays 0;
 1-6 May 15, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17			X	
1-18	X			
1-19	X			
1-20			X	
1-21	X			
1-22	X			
1-23	X			

1-24 COMMITTEE SUBSTITUTE FOR H.B. No. 5 By: Nelson

1-25 A BILL TO BE ENTITLED
 1-26 AN ACT

1-27 relating to strategic fiscal reviews of state agencies and
 1-28 programs.

1-29 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-30 SECTION 1. Chapter 322, Government Code, is amended by
 1-31 adding Section 322.0175 to read as follows:

1-32 Sec. 322.0175. STRATEGIC FISCAL REVIEW OF STATE AGENCIES
 1-33 AND PROGRAMS. (a) The board shall perform a strategic fiscal
 1-34 review for each state agency currently the subject of Sunset
 1-35 Advisory Commission review under Chapter 325, Government Code.

1-36 (b) The board shall prepare and submit a report of the
 1-37 findings of the strategic fiscal review by September 1 of the
 1-38 even-numbered year of the biennium during which the review is
 1-39 conducted to the governor, lieutenant governor, and speaker of the
 1-40 house of representatives and to the members of the senate finance
 1-41 and house appropriations committees.

1-42 (c) The strategic fiscal review report must contain:

1-43 (1) a description of the discrete activities the state
 1-44 agency is charged with conducting or performing together with:

1-45 (A) a justification for each activity by
 1-46 reference to a statute or other legal authority; and

1-47 (B) an evaluation of the effectiveness and
 1-48 efficiency of the state agency's policies, management, fiscal
 1-49 affairs, and operations in relation to each activity;

1-50 (2) for each activity identified under Subdivision
 1-51 (1), a quantitative estimate of any adverse effects that reasonably
 1-52 may be expected to result if the activity were discontinued,
 1-53 together with a description of the methods by which the adverse
 1-54 effects were estimated;

1-55 (3) for each activity identified under Subdivision
 1-56 (1), an itemized account of expenditures required to maintain the
 1-57 activity at the minimum level of service or performance required by
 1-58 the statute or other legal authority, together with a concise
 1-59 statement of the quantity and quality of service or performance
 1-60 required at that minimum level;

2-1 (4) for each activity identified under Subdivision
2-2 (1), an itemized account of expenditures required to maintain the
2-3 activity at the current level of service or performance, together
2-4 with a concise statement of the quantity and quality of service or
2-5 performance provided at that current level;

2-6 (5) a ranking of activities identified under
2-7 Subdivision (1) that illustrates the relative importance of each
2-8 activity to the overall goals and purposes of the state agency at
2-9 current service or performance levels; and

2-10 (6) recommendations to the legislature regarding
2-11 whether the legislature should continue funding each activity
2-12 identified under Subdivision (1) and, if so, at what level.

2-13 (d) The legislature may consider the strategic fiscal
2-14 review reports in connection with the legislative appropriations
2-15 process.

2-16 (e) Until the board has completed a strategic fiscal review
2-17 under this section, all information, documentary or otherwise,
2-18 prepared or maintained in conducting the strategic fiscal review or
2-19 preparing the strategic fiscal review report, including
2-20 intra-agency and interagency communications and drafts of the
2-21 strategic fiscal review report, or portions of those drafts, is
2-22 excepted from required public disclosure as audit working papers
2-23 under Section 552.116. This subsection does not affect whether
2-24 information described by this subsection is confidential or
2-25 excepted from required public disclosure under a law other than
2-26 Section 552.116.

2-27 SECTION 2. This Act takes effect immediately if it receives
2-28 a vote of two-thirds of all the members elected to each house, as
2-29 provided by Section 39, Article III, Texas Constitution. If this
2-30 Act does not receive the vote necessary for immediate effect, this
2-31 Act takes effect September 1, 2015.

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