

Suspending limitations on conference committee
jurisdiction, H.B. No. 3123 (Price/Nelson)

By: Price

H.R. No. 3425

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, 84th Legislature, Regular Session, 2015, That House Rule 13,
3 Section 9(a), be suspended in part as provided by House Rule 13,
4 Section 9(f), to enable the conference committee appointed to
5 resolve the differences on House Bill 3123 (governmental entities
6 subject to the sunset review process) to consider and take action on
7 the following matters:

8 (1) House Rule 13, Section 9(a)(2), is suspended to permit
9 the committee to omit text which is not in disagreement, SECTION
10 2.01 of the house engrossment of House Bill No. 3123 and the
11 corresponding section of the bill as the bill was amended by the
12 senate, relating to the sunset review of the Sulphur River Basin
13 Authority, that reads:

14 SECTION 2.01. SULPHUR RIVER BASIN AUTHORITY. Section 1A,
15 Chapter 3, Acts of the 69th Legislature, 1st Called Session, 1985,
16 is repealed.

17 Explanation: The omission is necessary to continue the sunset
18 review of the Sulphur River Basin Authority.

19 (2) House Rule 13, Section 9(a)(4), is suspended to permit
20 the committee to add text on matters not included in either the
21 house or senate version of the bill by adding the following:

22 ARTICLE 1. ENTITIES GIVEN 2017 SUNSET DATE

23 SECTION 1.01. TEXAS DEPARTMENT OF TRANSPORTATION. Section
24 [201.204](#), Transportation Code, is amended to read as follows:

1 Sec. 201.204. SUNSET PROVISION. (a) The Texas Department of
2 Transportation is subject to Chapter 325, Government Code (Texas
3 Sunset Act). Unless continued in existence as provided by that
4 chapter, the department is abolished September 1, 2017.

5 (b) The Sunset Advisory Commission shall limit its review of
6 the Texas Department of Transportation in preparation for the work
7 of the 85th Legislature in Regular Session to the department's
8 project planning, selection, programming, and funding processes
9 and its interactions with local transportation entities. In the
10 commission's report to the 85th Legislature, the commission may
11 include any recommendations it considers appropriate. This
12 subsection expires September 1, 2017.

13 SECTION 1.02. NORTH TEXAS TOLLWAY AUTHORITY. Subchapter
14 A, Chapter 366, Transportation Code, is amended by adding Section
15 366.005 to read as follows:

16 Sec. 366.005. SUNSET PROVISION. (a) An authority is
17 subject to review under Chapter 325, Government Code (Texas Sunset
18 Act), as if it were a state agency but is not abolished under that
19 chapter.

20 (b) An authority shall be reviewed during the period in
21 which state agencies scheduled to be reviewed or abolished in 2017
22 are reviewed.

23 (c) An authority shall pay the cost incurred by the Sunset
24 Advisory Commission in performing a review of the authority under
25 this section. The Sunset Advisory Commission shall determine the
26 cost, and the authority shall pay the amount promptly on receipt of
27 a statement from the Sunset Advisory Commission detailing the cost.

1 (d) This section expires September 1, 2017.

2 ARTICLE 2. ENTITIES GIVEN 2019 SUNSET DATE

3 SECTION 2.01. EMPLOYEES RETIREMENT SYSTEM OF TEXAS.

4 Section 815.005, Government Code, is amended to read as follows:

5 Sec. 815.005. SUNSET PROVISION. The board of trustees of
6 the Employees Retirement System of Texas is subject to review under
7 Chapter 325 (Texas Sunset Act), but is not abolished under that
8 chapter. The board shall be reviewed during the period in which
9 state agencies abolished in 2019 [~~2017~~], and every 12th year after
10 that year, are reviewed.

11 SECTION 4.04. TEXAS MILITARY DEPARTMENT. Section 437.051,
12 Government Code, is amended to read as follows:

13 Sec. 437.051. SUNSET PROVISION. The department is subject
14 to Chapter 325 (Texas Sunset Act). Unless continued in existence as
15 provided by that chapter, the department is abolished and this
16 subchapter expires September 1, 2023 [~~2019~~].

17 SECTION 4.05. CANCER PREVENTION AND RESEARCH INSTITUTE OF
18 TEXAS. Section 102.003, Health and Safety Code, is amended to read
19 as follows:

20 Sec. 102.003. SUNSET PROVISION. The Cancer Prevention and
21 Research Institute of Texas is subject to Chapter 325, Government
22 Code (Texas Sunset Act). Unless continued in existence as provided
23 by that chapter, the institute is abolished and this chapter
24 expires September 1, 2023 [~~2021~~].

25 SECTION 4.06. RAILROAD COMMISSION OF TEXAS. Sections
26 81.01001(a) and (a-1), Natural Resources Code, are amended to read
27 as follows:

1 (a) The Railroad Commission of Texas is subject to Chapter
2 325, Government Code (Texas Sunset Act). Unless continued in
3 existence as provided by that chapter, the commission is abolished
4 September 1, 2023 [~~2017~~].

5 (a-1) The review of the Railroad Commission of Texas by the
6 Sunset Advisory Commission in preparation for the work of the 88th
7 [~~85th~~] Legislature in Regular Session is not limited to the
8 appropriateness of recommendations made by the Sunset Advisory
9 Commission to the 83rd Legislature. In the Sunset Advisory
10 Commission's report to the 88th [~~85th~~] Legislature, the Sunset
11 Advisory Commission may include any recommendations it considers
12 appropriate. The review must include an examination of alternative
13 organizational structures for the Railroad Commission of Texas and
14 alternative methods for performing the commission's
15 responsibilities that would enable the efficient and effective
16 accomplishment of the commission's functions. The examination must
17 include an assessment of existing state agencies that would be able
18 to perform the commission's functions. The review must also
19 include an examination of methods to increase the public's role in
20 decisions of the Railroad Commission of Texas that relate to the
21 effect of the growth of resource extraction. The Sunset Advisory
22 Commission may contract for assistance in performing the review,
23 including assistance in evaluating, auditing, and forensic
24 auditing, as the Sunset Advisory Commission determines necessary.
25 This subsection expires September 1, 2023 [~~2017~~].

26 Explanation: This addition is necessary to limit the scope
27 of the next sunset review of the Texas Department of

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1 Transportation, to subject the North Texas Tollway Authority to
2 sunset review, and to change the sunset review date for various
3 state agencies.