

Suspending limitations on conference committee
jurisdiction, H.B. No. 3123

By: Nelson

S.R. No. 1055

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 84th Legislature, Regular Session, 2015, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill 3123 (governmental entities subject to the sunset process) to consider and take action on the following matters:

(1) Senate Rule 12.03(2) is suspended to permit the committee to omit text which is not in disagreement, SECTION 2.01 of the house engrossment of House Bill No. 3123 and the corresponding section of the bill as the bill was amended by the senate, relating to the sunset review of the Sulphur River Basin Authority, that reads:

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 Section 1A, Chapter 3, Acts of the 69th Legislature, 1st Called Session, 1985, is repealed.

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

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

ARTICLE 1. ENTITIES GIVEN 2017 SUNSET DATE

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

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

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

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

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

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

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

Commission detailing the cost.

(d) This section expires September 1, 2017.

ARTICLE 2. ENTITIES GIVEN 2019 SUNSET DATE

SECTION 2.01. EMPLOYEES RETIREMENT SYSTEM OF TEXAS.

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

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

SECTION 4.04. TEXAS MILITARY DEPARTMENT. Section

437.051, Government Code, is amended to read as follows:

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

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

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

SECTION 4.06. RAILROAD COMMISSION OF TEXAS. Sections 81.01001(a) and (a-1), Natural Resources Code, are amended to

read as follows:

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

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

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Explanation: This addition is necessary to limit the scope of the next sunset review of the Texas Department of Transportation, to subject the North Texas Tollway Authority to sunset review, and to change the sunset review date for various state agencies.

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 30, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate