

## **BILL ANALYSIS**

Senate Research Center  
85R5571 MAW-D

S.B. 611  
By: Birdwell  
State Affairs  
4/4/2017  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, statewide elected officials in Texas make appointments to committees, councils, commissions, task forces, or other public entities with multiple members that are tasked with advising a branch of the state government. It is not clear in statute that those persons appointed by a statewide elected official serve at the pleasure of the appointing officer.

S.B. 611 makes it clear in statute that a person appointed by the governor, the lieutenant governor, the speaker of the house, or a statewide elected officer to an entity that has the primary function of advising a branch of state government and is not approved by the Senate serves at the pleasure of the appointing officer and may be removed or replaced by the appointing officer or the appointing officer's successor.

As proposed, S.B. 611 amends current law relating to appointments by certain state officials to a legislative agency or an advisory committee.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 301, Government Code, by adding Section 301.035, as follows:

Sec. 301.035. APPOINTMENTS TO LEGISLATIVE AGENCY. Provides that, notwithstanding any other law, a person appointed by the lieutenant governor or the speaker of the house to the governing body of a legislative agency or committee serves at the pleasure of the appointing officer and may be removed or replaced by the appointing officer or the appointing officer's successor.

SECTION 2. Amends Chapter 651, Government Code, by adding Section 651.011, as follows:

Sec. 651.011. APPOINTMENTS BY CERTAIN STATE OFFICERS. (a) Provides that this section applies only to a committee, council, commission, task force, or other public entity with multiple members that does not control or supervise public business or policy, and has as its primary function advising a branch of state government.

(b) Provides that, notwithstanding any other law, a person appointed by the governor, the lieutenant governor, the speaker of the house, or a statewide elected officer to an entity serves at the pleasure of the appointing officer and may be removed or replaced by the appointing officer or the appointing officer's successor.

SECTION 3. Provides that the change in law made by this Act applies to a person serving on an entity described by Section 301.035 or 651.011(a), Government Code, as added by this Act, on or after the effective date of this Act, regardless of whether the person was appointed to the entity before, on, or after the effective date.

SECTION 4. Effective date: September 1, 2017.