

By: White

H.B. No. 2789

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of a study group to study state unfunded
3 mandates that affect counties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. STATE UNFUNDED MANDATE STUDY GROUP. (a) In this
6 Act, "study group" means the state unfunded mandate study group
7 created under this Act.

8 (b) The state unfunded mandate study group is created and
9 consists of nine members appointed as follows:

- 10 (1) three members appointed by the governor;
11 (2) three members appointed by the lieutenant
12 governor; and
13 (3) three members appointed by the speaker of the
14 house of representatives.

15 (c) In making the appointments under Subsection (b), the
16 governor, lieutenant governor, and speaker of the house of
17 representatives must each select three appointees as follows:

- 18 (1) one member who resides in a rural county;
19 (2) one member who resides in an urban county; and
20 (3) one member who resides in a suburban county.

21 (d) The governor, lieutenant governor, and speaker of the
22 house of representatives shall appoint the members of the study
23 group not later than October 1, 2017.

24 (e) The speaker of the house of representatives shall select

1 one of the members appointed by the speaker to be the initial
2 presiding officer of the study group.

3 (f) At the first meeting of the study group, the members of
4 the study group shall select one member of the study group as the
5 presiding officer of the study group.

6 (g) The study group shall meet at the call of the presiding
7 officer.

8 (h) A member of the study group serves without compensation
9 but is entitled to reimbursement for actual and necessary expenses
10 incurred in performing study group duties.

11 (i) The study group shall conduct a study of the mandates
12 imposed by state statutes or by rules adopted by state agencies that
13 require counties to establish, expand, or modify activities in a
14 way that requires the expenditure of revenue by the counties that
15 would not have been required in the absence of the mandates and for
16 which the state provides insufficient or no money. In conducting
17 the study, the study group must:

- 18 (1) define "state unfunded mandate";
- 19 (2) identify each state unfunded mandate;
- 20 (3) determine the financial cost to counties of state
21 unfunded mandates;
- 22 (4) determine which state unfunded mandates should be
23 repealed or limited; and
- 24 (5) determine how to prevent the creation of new state
25 unfunded mandates that apply to counties.

26 (j) On request by the study group, a state agency shall
27 provide assistance to the study group, including necessary support

1 staff and facilities to hold meetings.

2 (k) Not later than August 31, 2018, the study group shall
3 submit a written report to the governor, the lieutenant governor,
4 the speaker of the house of representatives, and each member of the
5 legislature with its findings and recommendations.

6 (l) The study group is abolished and this Act expires
7 September 1, 2019.

8 SECTION 2. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2017.