

By: Flynn

H.B. No. 1328

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the operations and functions of the Veterans' Land
3 Board and the sunset review date for and programs administered by
4 the board.

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

6 SECTION 1. Section 161.0111, Natural Resources Code, is
7 amended to read as follows:

8 Sec. 161.0111. SUNSET PROVISION. The Veterans' Land Board
9 is subject to review under Chapter 325, Government Code (Texas
10 Sunset Act), but is not abolished under that chapter. The board
11 shall be reviewed during the period in which state agencies
12 abolished in 2031 are reviewed [~~2019~~] and every 12th year after that
13 [~~2019 are reviewed~~].

14 SECTION 2. Subchapter B, Chapter 161, Natural Resources
15 Code, is amended by adding Section 161.0141 to read as follows:

16 Sec. 161.0141. SEPARATION OF RESPONSIBILITIES. The board
17 shall develop and implement policies that clearly separate the
18 policy-making responsibilities of the board and the management
19 responsibilities of the executive secretary, assistant executive
20 secretary, and staff of the board.

21 SECTION 3. Section 161.023, Natural Resources Code, is
22 amended by amending Subsection (b) and adding Subsection (d) to
23 read as follows:

24 (b) The training program must provide the person with

1 information regarding:

2 (1) the law governing board operations [~~the~~
3 ~~legislation that created the board~~];

4 (2) the programs, functions, rules, and budget of the
5 board;

6 (3) the scope of and limitations on the rulemaking
7 authority of the board;

8 (4) the results of the most recent formal audit of the
9 board;

10 (5) [~~(4)~~] the requirements of:

11 (A) laws relating to open meetings, public
12 information, administrative procedure, and disclosure of conflicts
13 of interest; and

14 (B) other laws applicable to members of a state
15 policy-making body in performing their duties; and

16 (6) [~~(5)~~] any applicable ethics policies adopted by
17 the board or the Texas Ethics Commission.

18 (d) The commissioner shall create a training manual that
19 includes the information required by Subsection (b). The
20 commissioner shall distribute a copy of the training manual
21 annually to each member of the board. On receipt of the training
22 manual, each member of the board shall sign and submit to the
23 commissioner a statement acknowledging receipt of the training
24 manual.

25 SECTION 4. Section 161.031(a), Natural Resources Code, is
26 amended to read as follows:

27 (a) The executive secretary or his or her designee shall

1 prepare and maintain a written plan to assure implementation of a
2 program of equal employment opportunity whereby all personnel
3 transactions are made without regard to race, color, disability
4 [~~handicap~~], sex, religion, age, or national origin. The plan shall
5 include:

6 (1) a comprehensive analysis which meets federal and
7 state guidelines of all the agency's work force by race, sex, ethnic
8 origin, class of position, and salary or wages;

9 (2) plans for recruitment, evaluation, selection,
10 appointment, training, promotion, and other personnel policies;

11 (3) procedures by which a determination can be made of
12 significant underutilization in the agency work force of all
13 persons for whom federal and state guidelines encourage a more
14 equitable balance and steps reasonably designed to overcome any
15 identified underutilization; and

16 (4) objectives and goals, with appropriate timetables
17 for the achievement of the objectives and goals, assignments of
18 responsibility for their achievement, and an appropriate program
19 for reviewing and maintaining these goals and objectives once
20 achieved.

21 SECTION 5. (a) Except as provided by Subsection (b) of this
22 section, Section 161.023, Natural Resources Code, as amended by
23 this Act, applies to a member of the Veterans' Land Board appointed
24 before, on, or after the effective date of this Act.

25 (b) A member of the Veterans' Land Board who, before the
26 effective date of this Act, completed the training program required
27 by Section 161.023, Natural Resources Code, as that law existed

1 before the effective date of this Act, is required to complete
2 additional training only on subjects added by this Act to the
3 training program as required by Section 161.023, Natural Resources
4 Code, as amended by this Act. A board member described by this
5 subsection may not vote, deliberate, or be counted as a member in
6 attendance at a meeting of the board held on or after December 1,
7 2019, until the member completes the additional training.

8 SECTION 6. This Act takes effect September 1, 2019.