

By: Nelson, Hall, West

S.B. No. 68

A BILL TO BE ENTITLED

AN ACT

relating to strategic fiscal reviews of state agencies and programs.

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

SECTION 1. Chapter 322, Government Code, is amended by adding Section 322.0175 to read as follows:

Sec. 322.0175. STRATEGIC FISCAL REVIEW OF STATE AGENCIES AND PROGRAMS. (a) The board shall perform a strategic fiscal review for each state agency currently the subject of Sunset Advisory Commission review under Chapter 325 (Texas Sunset Act).

(b) The board shall prepare and submit a report of the findings of the strategic fiscal review by September 1 of the even-numbered year of the biennium during which the review is conducted to the governor, lieutenant governor, and speaker of the house of representatives and to the members of the senate finance and house appropriations committees.

(c) The strategic fiscal review report must contain:

(1) a description of the discrete activities the state agency is charged with conducting or performing together with:

(A) a justification for each activity by reference to a statute or other legal authority; and

(B) an evaluation of the effectiveness and efficiency of the state agency's policies, management, fiscal affairs, and operations in relation to each activity;

1           (2) for each activity identified under Subdivision  
2 (1):

3           (A) a quantitative estimate of any adverse  
4 effects that reasonably may be expected to result if the activity  
5 were discontinued, together with a description of the methods by  
6 which the adverse effects were estimated;

7           (B) an itemized account of expenditures required  
8 to maintain the activity at the minimum level of service or  
9 performance required by the statute or other legal authority,  
10 together with a concise statement of the quantity and quality of  
11 service or performance required at that minimum level; and

12           (C) an itemized account of expenditures required  
13 to maintain the activity at the current level of service or  
14 performance, together with a concise statement of the quantity and  
15 quality of service or performance provided at that current level;

16           (3) a ranking of activities identified under  
17 Subdivision (1) that illustrates the relative importance of each  
18 activity to the overall goals and purposes of the state agency at  
19 current service or performance levels; and

20           (4) recommendations to the legislature regarding  
21 whether the legislature should continue funding each activity  
22 identified under Subdivision (1) and, if so, at what level.

23           (d) The legislature may consider the strategic fiscal  
24 review reports in connection with the legislative appropriations  
25 process.

26           (e) Until the board has completed a strategic fiscal review  
27 under this section, all information, documentary or otherwise,

1 prepared or maintained in conducting the strategic fiscal review or  
2 preparing the strategic fiscal review report, including  
3 intra-agency and interagency communications and drafts of the  
4 strategic fiscal review report, or portions of those drafts, is  
5 excepted from required public disclosure as audit working papers  
6 under Section 552.116. This subsection does not affect whether  
7 information described by this subsection is confidential or  
8 excepted from required public disclosure under a law other than  
9 Section 552.116.

10         SECTION 2. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2019.