

1-1 By: Nelson, Hall S.B. No. 68
 1-2 (In the Senate - Filed November 12, 2018; February 1, 2019,
 1-3 read first time and referred to Committee on Finance;
 1-4 March 18, 2019, reported favorably by the following vote: Yeas 13,
 1-5 Nays 0; March 18, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Nelson	X			
1-8 Hinojosa	X			
1-9 Bettencourt	X			
1-10 Birdwell			X	
1-11 Campbell	X			
1-12 Flores	X			
1-13 Hancock	X			
1-14 Huffman			X	
1-15 Kolthorst	X			
1-16 Nichols	X			
1-17 Perry	X			
1-18 Taylor	X			
1-19 Watson	X			
1-20 West	X			
1-21 Whitmire	X			

1-23 A BILL TO BE ENTITLED
 1-24 AN ACT

1-25 relating to strategic fiscal reviews of state agencies and
 1-26 programs.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Chapter 322, Government Code, is amended by
 1-29 adding Section 322.0175 to read as follows:

1-30 Sec. 322.0175. STRATEGIC FISCAL REVIEW OF STATE AGENCIES
 1-31 AND PROGRAMS. (a) The board shall perform a strategic fiscal
 1-32 review for each state agency currently the subject of Sunset
 1-33 Advisory Commission review under Chapter 325 (Texas Sunset Act).

1-34 (b) The board shall prepare and submit a report of the
 1-35 findings of the strategic fiscal review by September 1 of the
 1-36 even-numbered year of the biennium during which the review is
 1-37 conducted to the governor, lieutenant governor, and speaker of the
 1-38 house of representatives and to the members of the senate finance
 1-39 and house appropriations committees.

1-40 (c) The strategic fiscal review report must contain:

1-41 (1) a description of the discrete activities the state
 1-42 agency is charged with conducting or performing together with:

1-43 (A) a justification for each activity by
 1-44 reference to a statute or other legal authority; and

1-45 (B) an evaluation of the effectiveness and
 1-46 efficiency of the state agency's policies, management, fiscal
 1-47 affairs, and operations in relation to each activity;

1-48 (2) for each activity identified under Subdivision

1-49 (1):

1-50 (A) a quantitative estimate of any adverse
 1-51 effects that reasonably may be expected to result if the activity
 1-52 were discontinued, together with a description of the methods by
 1-53 which the adverse effects were estimated;

1-54 (B) an itemized account of expenditures required
 1-55 to maintain the activity at the minimum level of service or
 1-56 performance required by the statute or other legal authority,
 1-57 together with a concise statement of the quantity and quality of
 1-58 service or performance required at that minimum level; and

1-59 (C) an itemized account of expenditures required
 1-60 to maintain the activity at the current level of service or
 1-61 performance, together with a concise statement of the quantity and

2-1 quality of service or performance provided at that current level;
2-2 (3) a ranking of activities identified under
2-3 Subdivision (1) that illustrates the relative importance of each
2-4 activity to the overall goals and purposes of the state agency at
2-5 current service or performance levels; and

2-6 (4) recommendations to the legislature regarding
2-7 whether the legislature should continue funding each activity
2-8 identified under Subdivision (1) and, if so, at what level.

2-9 (d) The legislature may consider the strategic fiscal
2-10 review reports in connection with the legislative appropriations
2-11 process.

2-12 (e) Until the board has completed a strategic fiscal review
2-13 under this section, all information, documentary or otherwise,
2-14 prepared or maintained in conducting the strategic fiscal review or
2-15 preparing the strategic fiscal review report, including
2-16 intra-agency and interagency communications and drafts of the
2-17 strategic fiscal review report, or portions of those drafts, is
2-18 excepted from required public disclosure as audit working papers
2-19 under Section 552.116. This subsection does not affect whether
2-20 information described by this subsection is confidential or
2-21 excepted from required public disclosure under a law other than
2-22 Section 552.116.

2-23 SECTION 2. This Act takes effect immediately if it receives
2-24 a vote of two-thirds of all the members elected to each house, as
2-25 provided by Section 39, Article III, Texas Constitution. If this
2-26 Act does not receive the vote necessary for immediate effect, this
2-27 Act takes effect September 1, 2019.

2-28 * * * * *