

By: Nelson
(Longoria)

S.B. No. 241

Substitute the following for S.B. No. 241:

By: Harless

C.S.S.B. No. 241

A BILL TO BE ENTITLED

1 AN ACT
2 relating to certain required reports received or prepared by state
3 agencies and other governmental entities.

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

5 ARTICLE 1. REPORTS REQUIRED OF STATE AGENCIES

6 SECTION 1.01. Section 21.0452(b), Education Code, is
7 amended to read as follows:

8 (b) The board shall make available at least the following
9 information regarding each educator preparation program:

10 (1) the information specified in Sections 21.045(a)
11 and (b);

12 (2) in addition to any other appropriate information
13 indicating the quality of persons admitted to the program, the
14 average academic qualifications possessed by persons admitted to
15 the program, including:

16 (A) average overall grade point average and
17 average grade point average in specific subject areas; and

18 (B) average scores on the Scholastic Assessment
19 Test (SAT), the American College Test (ACT), or the Graduate Record
20 Examination (GRE), as applicable;

21 (3) the degree to which persons who complete the
22 program are successful in obtaining teaching positions;

23 (4) the extent to which the program prepares teachers,
24 including general education teachers and special education

1 teachers, to effectively teach:

2 (A) students with disabilities; and

3 (B) students of limited English proficiency, as
4 defined by Section 29.052;

5 (5) the activities offered by the program that are
6 designed to prepare teachers to:

7 (A) integrate technology effectively into
8 curricula and instruction, including activities consistent with
9 the principles of universal design for learning; and

10 (B) use technology effectively to collect,
11 manage, and analyze data to improve teaching and learning for the
12 purpose of increasing student academic achievement;

13 (6) for each semester, the average ratio of field
14 supervisors to candidates completing student teaching, clinical
15 teaching, or an internship in an educator preparation program;

16 ~~(7) [the percentage of teachers employed under a
17 standard teaching certificate within one year of completing the
18 program;~~

19 ~~[(8)]~~ the perseverance of beginning teachers in the
20 profession, as determined on the basis of the number of beginning
21 teachers who maintain status as active contributing members in the
22 Teacher Retirement System of Texas for at least three years after
23 certification in comparison to similar programs;

24 (8) ~~[(9)]~~ the results of exit surveys given to program
25 participants on completion of the program that involve evaluation
26 of the program's effectiveness in preparing participants to succeed
27 in the classroom;

1 (9) [~~(10)~~] the results of surveys given to school
2 principals that involve evaluation of the program's effectiveness
3 in preparing participants to succeed in the classroom, based on
4 experience with employed program participants; and

5 (10) [~~(11)~~] the results of teacher satisfaction
6 surveys developed under Section 21.045 and given to program
7 participants at the end of the first year of teaching.

8 SECTION 1.02. Section 51.402(b), Education Code, is amended
9 to read as follows:

10 (b) The governing board of each institution of higher
11 education in the state shall adopt rules and regulations concerning
12 faculty academic workloads. In adopting rules under this
13 subsection, each institution shall recognize that classroom
14 teaching, basic and applied research, and professional development
15 are important elements of faculty academic workloads by giving
16 appropriate weight to each activity when determining the standards
17 for faculty academic workload. An institution may give the same or
18 different weight to each activity and to other activities
19 recognized by the institution as important elements of faculty
20 academic workloads. The established rules and regulations of each
21 institution shall be [~~reported to the coordinating board and~~]
22 included in the operating budgets of each institution.

23 SECTION 1.03. Section 51.680(c), Education Code, is amended
24 to read as follows:

25 (c) It is a policy of the state that each institution of
26 higher education shall at all times [~~after August 31, 1988,~~] have a
27 current copy of its intellectual property policies that meet the

1 minimum standards set out in Subsection (a) [~~on file with the Texas~~
2 ~~Higher Education Coordinating Board or~~] posted on the institution's
3 website on the Internet in a manner available to the public. The
4 commissioner of higher education shall establish procedures for the
5 monitoring of this policy of the state.

6 SECTION 1.04. Section 51.751(b), Education Code, is amended
7 to read as follows:

8 (b) The center shall examine the efficiency of the public
9 school system and the effectiveness of instructional methods and
10 curricular programs and promote the use of successful methods and
11 programs. The center shall monitor and evaluate the implementation
12 of the accountability system under Chapters 39 and 39A [~~and provide~~
13 ~~annual progress reports to the governor, Legislative Budget Board,~~
14 ~~and commissioner of education~~].

15 SECTION 1.05. Section 531.028(b), Government Code, is
16 amended to read as follows:

17 (b) The executive commissioner shall establish a federal
18 money management system to coordinate and monitor the use of
19 federal money that is received by health and human services
20 agencies to ensure that the money is spent in the most efficient
21 manner and shall:

22 (1) establish priorities for use of federal money by
23 all health and human services agencies, in coordination with the
24 coordinated strategic plan established under Section 531.022 [~~and~~
25 ~~the budget prepared under Section 531.026~~];

26 (2) coordinate and monitor the use of federal money
27 for health and human services to ensure that the money is spent in

1 the most cost-effective manner throughout the health and human
2 services system;

3 (3) review and approve all federal funding plans for
4 health and human services in this state;

5 (4) estimate available federal money, including
6 earned federal money, and monitor unspent money;

7 (5) ensure that the state meets federal requirements
8 relating to receipt of federal money for health and human services,
9 including requirements relating to state matching money and
10 maintenance of effort;

11 (6) transfer appropriated amounts as described by
12 Section 531.0271; and

13 (7) ensure that each governmental entity identified
14 under Section 531.022(e) has access to complete and timely
15 information about all sources of federal money for health and human
16 services programs and that technical assistance is available to
17 governmental entities seeking grants of federal money to provide
18 health and human services.

19 SECTION 1.06. Sections 531.421(3) and (4), Government Code,
20 are amended to read as follows:

21 (3) [~~"Consortium" means the Texas System of Care~~
22 ~~Consortium established under Subchapter C-1.~~

23 [~~(4)~~] "Systems of care services" means a comprehensive
24 state system of mental health services and other necessary and
25 related services that is organized as a coordinated network to meet
26 the multiple and changing needs of children with severe emotional
27 disturbances and their families.

1 SECTION 1.07. Section 531.422(c), Government Code, is
2 amended to read as follows:

3 (c) Each community resource coordination group shall submit
4 the report described by Subsection (b) to the commission
5 [~~consortium~~]. The commission [~~consortium~~] shall provide [~~a~~
6 ~~deadline~~] to each group a deadline for submitting the reports that
7 is [~~. The time frame for completing the reports must be~~] coordinated
8 with any regional reviews by the commission of the delivery of
9 related services.

10 SECTION 1.08. Section 531.423, Government Code, is amended
11 to read as follows:

12 Sec. 531.423. SUMMARY REPORT BY COMMISSION [~~CONSORTIUM~~].

13 (a) The commission [~~consortium~~] shall create a summary report
14 based on the evaluations in the reports submitted to the commission
15 [~~consortium~~] by community resource coordination groups under
16 Section 531.422. The commission's [~~consortium's~~] report must
17 include recommendations for policy and statutory changes at each
18 agency that is involved in the provision of systems of care services
19 and the outcome expected from implementing each recommendation.

20 (b) The commission [~~consortium~~] shall coordinate, where
21 appropriate, the recommendations in the report created under this
22 section with recommendations in the assessment developed under
23 Chapter 23 (S.B. [~~No.~~ 491]), Acts of the 78th Legislature, Regular
24 Session, 2003, and with the continuum of care developed under
25 Section 533.040(d), Health and Safety Code [~~S.B. No. 490, Acts of~~
26 ~~the 78th Legislature, Regular Session, 2003~~].

27 (c) The commission [~~consortium~~] may include in the report

1 created under this section recommendations for the statewide
2 expansion of sites participating in the Texas System of Care and the
3 integration of services provided at those sites with services
4 provided by community resource coordination groups.

5 (d) The commission [~~consortium~~] shall provide a copy of the
6 report created under this section to each agency for which the
7 report makes a recommendation and to other agencies as appropriate.

8 SECTION 1.09. Section 2003.108, Government Code, is amended
9 to read as follows:

10 Sec. 2003.108. PENDING CASE STATUS REVIEW [REPORTS].
11 [~~(a) The office shall provide the comptroller a monthly status~~
12 ~~report that lists pending cases and provides information on any~~
13 ~~case that exceeds the comptroller's time lines for issuing a~~
14 ~~proposal for decision or an agreed order.~~

15 [~~(b)~~] At least quarterly, the office shall review with the
16 comptroller and appropriate staff of the office the status of
17 pending cases under this subchapter.

18 [~~(c) The office shall provide a quarterly report to the~~
19 ~~comptroller on services performed by the office for the comptroller~~
20 ~~under this subchapter.~~]

21 SECTION 1.10. Section 2054.075(b), Government Code, is
22 amended to read as follows:

23 (b) Each state agency [~~shall provide that its~~] information
24 resources manager is part of the agency's executive management and
25 reports directly [~~to a person with a title functionally equivalent~~]
26 to the executive head [~~director~~] or deputy executive head of the
27 agency [~~director~~]. Each state agency shall report to the

1 department the extent and results of its compliance with this
2 subsection and include with the report an organizational chart
3 showing the structure of the personnel in the agency's executive
4 management. The ~~[, and the]~~ department shall report the extent and
5 results of state agencies' compliance with this subsection to the
6 legislature.

7 SECTION 1.11. Section 2054.100(a), Government Code, is
8 amended to read as follows:

9 (a) Each state agency shall submit an operating plan to the
10 Legislative Budget Board, ~~[the department,]~~ the quality assurance
11 team, and the governor each state fiscal biennium in accordance
12 with the directions of the Legislative Budget Board.

13 SECTION 1.12. Section 2054.103, Government Code, is amended
14 to read as follows:

15 Sec. 2054.103. SUBMISSION OF OPERATING PLANS. Each state
16 agency shall send a copy of its biennial operating plan and of any
17 amendments to the plan, as approved by the Legislative Budget
18 Board, to the governor ~~[, the department,]~~ and the state auditor not
19 later than the 30th day after the date the Legislative Budget Board
20 approves the plan or amendment, as applicable.

21 SECTION 1.13. Sections 2054.133(c) and (f), Government
22 Code, are amended to read as follows:

23 (c) Not later than June 1 ~~[October 15]~~ of each even-numbered
24 year, each state agency shall submit a copy of the agency's
25 information security plan to the department. Subject to available
26 resources, the department may select a portion of the submitted
27 security plans to be assessed by the department in accordance with

1 department rules.

2 (f) Not later than November 15 [~~January 13~~] of each
3 even-numbered [~~odd-numbered~~] year, the department shall submit a
4 written report to the governor, the lieutenant governor, and each
5 standing committee of the legislature with primary jurisdiction
6 over matters related to the department evaluating information
7 security for this state's information resources. In preparing the
8 report, the department shall consider the information security
9 plans submitted by state agencies under this section, any
10 vulnerability reports submitted under Section 2054.077, and other
11 available information regarding the security of this state's
12 information resources. The department shall omit from any written
13 copies of the report information that could expose specific
14 vulnerabilities in the security of this state's information
15 resources.

16 SECTION 1.14. Section 2054.304(b), Government Code, is
17 amended to read as follows:

18 (b) Except as provided by Subsection (c), the state agency
19 must file the project plan with the quality assurance team [~~and the~~
20 ~~department~~] before the agency:

21 (1) spends more than 10 percent of allocated funds for
22 the project or major contract; or

23 (2) first issues a vendor solicitation for the project
24 or contract.

25 SECTION 1.15. Section 2054.515(b), Government Code, is
26 amended to read as follows:

27 (b) Not later than December 1 of the year in which a state

1 agency conducts the assessment under Subsection (a), the agency
2 shall report the results of the assessment to:

- 3 (1) the department; and
4 (2) on request, the governor, the lieutenant governor,
5 and the speaker of the house of representatives.

6 SECTION 1.16. Section 2056.002(d), Government Code, is
7 amended to read as follows:

8 (d) A state agency shall send two copies of each plan to both
9 the Legislative Reference Library and the state publications
10 clearinghouse of the Texas State Library and one copy each to:

- 11 (1) the governor;
12 (2) the lieutenant governor;
13 (3) the speaker of the house of representatives;
14 (4) the Legislative Budget Board; and
15 (5) ~~[the Sunset Advisory Commission,~~
16 ~~(6)]~~ the state auditor~~;~~ and
17 ~~(7) the Department of Information Resources]~~.

18 SECTION 1.17. Section 2102.009, Government Code, is amended
19 to read as follows:

20 Sec. 2102.009. ANNUAL REPORT. The internal auditor shall
21 prepare an annual report and submit the report before November 1 of
22 each year to the governor, the Legislative Budget Board, ~~[the~~
23 ~~Sunset Advisory Commission,~~] the state auditor, the state agency's
24 governing board, and the administrator. The state auditor shall
25 prescribe the form and content of the report, subject to the
26 approval of the legislative audit committee.

27 SECTION 1.18. Sections 2102.0091(a), (c), and (d),

1 Government Code, are amended to read as follows:

2 (a) A state agency shall file with the division of the
3 governor's office responsible for budget and policy [~~Sunset~~
4 ~~Advisory Commission, the Governor's Office of Budget, Planning, and~~
5 ~~Policy~~], the state auditor, and the Legislative Budget Board a copy
6 of each report submitted to the state agency's governing board or
7 the administrator of the state agency if the state agency does not
8 have a governing board by the agency's internal auditor.

9 (c) In addition to the requirements of Subsection (a), a
10 state agency shall file with the division of the governor's office
11 responsible for budget and policy [~~Governor's Office of Budget,~~
12 ~~Planning, and Policy~~], the state auditor, and the Legislative
13 Budget Board any action plan or other response issued by the state
14 agency's governing board or the administrator of the state agency
15 if the state agency does not have a governing board in response to
16 the report of the state agency's internal auditor.

17 (d) If the state agency does not file the report as required
18 by this section, the Legislative Budget Board or the division of the
19 governor's office responsible for budget and policy [~~Governor's~~
20 ~~Office of Budget, Planning, and Policy~~] may take appropriate action
21 to compel the filing of the report.

22 SECTION 1.19. Section [2166.003](#)(b), Government Code, is
23 amended to read as follows:

24 (b) Only Sections [~~2166.104~~] [2166.151](#), [2166.152](#), [2166.153](#),
25 [2166.154](#), [2166.155](#), [2166.251](#), and [2166.252](#) [~~7~~] and Subchapter H
26 apply to a construction project undertaken by or for the Texas
27 Department of Criminal Justice for the imprisonment of individuals

1 convicted of felonies other than state jail felonies.

2 SECTION 1.20. Section [2166.102\(c\)](#), Government Code, is
3 amended to read as follows:

4 (c) The master facilities plan must contain:

5 (1) projections of the amount of administrative office
6 space and client service space needed by state agencies, including
7 the current amount of each state agency's administrative office
8 space in Travis County and identification of locations that
9 currently exceed the space limitations prescribed by Section
10 [2165.104\(c\)](#);

11 (2) an examination of the commission's efforts to
12 colocate administrative office space;

13 (3) an examination of the use, age, condition, and
14 economic life of state-owned buildings on the commission's
15 inventory, including a listing of all improvements and repairs that
16 have been made to the buildings with an itemized account of receipts
17 and expenditures and an estimate of needed improvements and
18 repairs;

19 (4) [~~3~~] an analysis, in accordance with Subchapter
20 D, of projects that have been requested by state agencies,
21 including:

22 (A) a brief and specific justification prepared
23 by the using agency for each project;

24 (B) a summary of the project analysis or, if the
25 analysis was not made, a statement briefly describing the method
26 used to estimate costs for the project;

27 (C) a project cost estimate detailed enough to

1 allow the budget agencies, the governor, and the legislature the
2 widest possible latitude in developing policy regarding each
3 project request;

4 (D) an estimate, prepared by the commission with
5 the cooperation of both the using agency and any private design
6 professional retained, of the annual cost of maintaining the
7 completed project, including the estimated cost of utility
8 services;

9 (E) an estimate, prepared by the using agency, of
10 the annual cost of staffing and operating the completed project,
11 excluding maintenance cost;

12 (F) if appropriate and with the using agency's
13 approval, an indication of:

14 (i) the feasibility of stage construction
15 of a requested project; and

16 (ii) the degree to which money will be
17 required in the next biennium if the project is undertaken in
18 stages; and

19 (G) the designated priority of each project to
20 which a priority rating has been assigned under Section
21 [2166.151\(c\)](#);

22 (5) [~~4~~] an examination of the extent to which the
23 state satisfies its need for space by leasing building space;

24 (6) [~~5~~] an examination of state-paid operation and
25 maintenance costs [~~, including costs for telecommunications~~
26 ~~services,~~] for existing buildings owned or leased by the state;

27 (7) [~~6~~] a discussion of the economic and market

1 conditions affecting the costs of the construction or lease of
2 buildings;

3 (8) [~~(7)~~] an analysis of whether the state will
4 benefit more from satisfying its needs for space by:

5 (A) engaging in new projects;

6 (B) leasing built space; or

7 (C) satisfying its needs in another manner;

8 (9) the commission's findings and recommendations
9 under Section 2166.103;

10 (10) a summary of the commission's findings under
11 Section 2166.101 on the status of state-owned buildings and current
12 information on construction costs;

13 (11) the comprehensive capital improvement and
14 deferred maintenance plan and regular updates developed under
15 Section 2166.108, including the aggregate project costs for each
16 state agency;

17 (12) [~~(8)~~] an examination of the amount of exempt and
18 nonexempt office space under Section 2165.104(c); and

19 (13) [~~(9)~~] other information relevant to the
20 long-range plan that is:

21 (A) considered appropriate by the commission; or

22 (B) requested in writing by the governor or the
23 presiding officer of either house of the legislature.

24 SECTION 1.21. Sections 2166.103(b) and (c), Government
25 Code, are amended to read as follows:

26 (b) The commission shall identify counties in which more
27 than 50,000 square feet of usable office space is needed and make

1 recommendations for meeting that need. The commission may
2 recommend leasing or purchasing and renovating one or more existing
3 buildings or constructing one or more buildings. [~~The commission~~
4 ~~shall include the commission's findings and recommendations in the~~
5 ~~commission's master facilities plan required under Section~~
6 ~~2166.102.~~]

7 (c) The commission may collect appropriate information it
8 considers necessary for preparing its recommendations [~~and~~
9 ~~report~~].

10 SECTION 1.22. Section [2166.151](#), Government Code, is amended
11 by adding Subsection (c) to read as follows:

12 (c) If a using agency requests three or more projects, it
13 shall designate its priority rating for each project. The budget
14 agencies shall, with the commission's cooperation, develop
15 detailed instructions to implement the priority system required by
16 this subsection.

17 SECTION 1.23. Section [2176.005](#)(a), Government Code, is
18 amended to read as follows:

19 (a) A state agency in Travis County shall periodically send
20 to the governor [~~and the legislative budget office~~] a report of its
21 progress in achieving the objectives for and the revisions of mail
22 operations established under Section [2176.004](#), including an
23 analysis of savings projected from the resulting improvements in
24 managing mail.

25 SECTION 1.24. Sections [2205.039](#)(a) and (b), Government
26 Code, are amended to read as follows:

27 (a) The [~~Legislative Budget Board, in cooperation with the~~]

1 department[~~7~~] shall prescribe:

2 (1) a travel log form for gathering information about
3 the use of state-operated aircraft;

4 (2) procedures to ensure that individuals who travel
5 as passengers on or operate state-operated aircraft provide in a
6 legible manner the information requested of them by the form; and

7 (3) procedures for each state agency that operates an
8 aircraft for sending the form to the department [~~and the~~
9 ~~Legislative Budget Board~~].

10 (b) The travel log form must request the following
11 information about a state-operated aircraft each time the aircraft
12 is flown:

13 (1) a mission statement, which may appear as a
14 selection to be identified from general categories appearing on the
15 form;

16 (2) the name, state agency represented, destination,
17 and signature of each person who is a passenger or crew member of
18 the aircraft;

19 (3) the date of each flight;

20 (4) a detailed and specific description of the
21 official business purpose of each flight; and

22 (5) other information determined by the [~~Legislative~~
23 ~~Budget Board and the~~] department to be necessary to monitor the
24 proper use of the aircraft.

25 SECTION 1.25. Section [242.005\(c\)](#), Health and Safety Code,
26 is amended to read as follows:

27 (c) The department shall submit the required report to the

1 governor and the legislature not later than March [~~October~~] 1 of
2 each year.

3 SECTION 1.26. The heading to Subchapter E, Chapter 386,
4 Health and Safety Code, is amended to read as follows:

5 SUBCHAPTER E. EVALUATION OF UTILITY COMMISSION [~~AND COMPTROLLER~~]
6 ENERGY EFFICIENCY PROGRAMS

7 SECTION 1.27. Section 386.205, Health and Safety Code, is
8 amended to read as follows:

9 Sec. 386.205. EVALUATION OF UTILITY COMMISSION [~~AND~~
10 ~~COMPTROLLER~~] ENERGY EFFICIENCY PROGRAMS. In cooperation with the
11 laboratory, the utility commission shall provide an annual report
12 to the commission that, by county, quantifies the reductions of
13 energy demand, peak loads, and associated emissions of air
14 contaminants achieved [~~from programs implemented by the state~~
15 ~~energy conservation office and~~] from programs implemented under
16 Section 39.905, Utilities Code.

17 SECTION 1.28. Section 388.006, Health and Safety Code, is
18 amended to read as follows:

19 Sec. 388.006. STATE ENERGY CONSERVATION OFFICE EVALUATION.
20 The State Energy Conservation Office annually shall provide the
21 [~~commission and the~~] laboratory with an evaluation of the
22 effectiveness of state and political subdivision energy efficiency
23 programs, including programs under this chapter. The laboratory
24 shall calculate, based on the evaluation and the forms submitted to
25 the office, the amount of energy savings and estimated reduction in
26 pollution achieved as a result of the implementation of programs.
27 The laboratory shall share the information with the commission, the

1 United States Environmental Protection Agency, and the Electric
2 Reliability Council of Texas to help with long-term forecasting and
3 in estimating pollution reduction.

4 SECTION 1.29. Section 533A.006(a), Health and Safety Code,
5 is amended to read as follows:

6 (a) The executive commissioner [~~department~~] shall report to
7 the Texas Medical Board any allegation received by the commission
8 [~~department~~] that a physician employed by or under contract with
9 the commission [~~department~~] in relation to services provided under
10 this title has committed an action that constitutes a ground for the
11 denial or revocation of the physician's license under Section
12 164.051, Occupations Code. The report must be made in the manner
13 provided by Section 154.051, Occupations Code.

14 SECTION 1.30. Section 533A.062(e), Health and Safety Code,
15 is amended to read as follows:

16 (e) The commission shall submit the proposed plan to the
17 Legislative Budget Board and the governor not later than October 15
18 of each even-numbered year [~~as part of the consolidated health and~~
19 ~~human services budget recommendation required under Section~~
20 ~~531.026, Government Code~~].

21 SECTION 1.31. Sections 555.102(c) and (d), Health and
22 Safety Code, are amended to read as follows:

23 (c) The inspector general shall deliver the summary report
24 to the:

- 25 (1) executive commissioner;
- 26 (2) [~~commissioner of the department,~~
- 27 [~~(3) commissioner of the Department of Family and~~

1 ~~Protective Services,~~
2 ~~[(4) Aging and Disability Services Council,~~
3 ~~(5)]~~ governor;
4 (3) ~~[(6)]~~ lieutenant governor;
5 (4) ~~[(7)]~~ speaker of the house of representatives;
6 (5) ~~[(8)]~~ standing committees of the senate and house
7 of representatives with primary jurisdiction over centers;
8 (6) ~~[(9)]~~ state auditor;
9 (7) ~~[(10) the]~~ independent ombudsman and the
10 assistant ombudsman for the center involved in the report; and
11 (8) ~~[(11) the]~~ alleged victim or the alleged victim's
12 legally authorized representative.

13 (d) A summary report regarding an investigation is subject
14 to required disclosure under Chapter 552, Government Code. All
15 information and materials compiled by the inspector general in
16 connection with an investigation are confidential, and not subject
17 to disclosure under Chapter 552, Government Code, and not subject
18 to disclosure, discovery, subpoena, or other means of legal
19 compulsion for their release to anyone other than the inspector
20 general or the inspector general's employees or agents involved in
21 the investigation, except that this information may be disclosed to
22 ~~[the Department of Family and Protective Services,~~ the office of
23 the attorney general, the state auditor's office, and law
24 enforcement agencies.

25 SECTION 1.32. Section 555.103(c), Health and Safety Code,
26 is amended to read as follows:

27 (c) The inspector general shall submit the annual status

1 report to the:

2 (1) executive commissioner;

3 (2) [~~commissioner of the department,~~

4 [~~(3) commissioner of the Department of Family and~~
5 ~~Protective Services,~~

6 [~~(4) Aging and Disability Services Council,~~

7 [~~(5) Family and Protective Services Council,~~

8 [~~(6)] governor;~~

9 (3) [~~(7)] lieutenant governor;~~

10 (4) [~~(8)] speaker of the house of representatives;~~

11 (5) [~~(9)] standing committees of the senate and house
12 of representatives with primary jurisdiction over centers;~~

13 (6) [~~(10)] state auditor; and~~

14 (7) [~~(11)] comptroller.~~

15 SECTION 1.33. Section 574.014(a), Health and Safety Code,
16 is amended to read as follows:

17 (a) The clerk of each court with jurisdiction to order
18 commitment under this chapter shall provide the Office of Court
19 Administration each month with a report of the number of
20 applications for commitment orders for involuntary mental health
21 services filed with the court and the disposition of those cases,
22 including the number of commitment orders for inpatient and
23 outpatient mental health services. The Office of Court
24 Administration shall make the reported information available to the
25 Health and Human Services Commission [~~department~~] annually.

26 SECTION 1.34. Section 40.05275, Human Resources Code, is
27 amended to read as follows:

1 Sec. 40.05275. ~~[ANNUAL]~~ BUSINESS PLAN FOR CHILD PROTECTIVE
2 SERVICES. (a) The department shall develop and implement a ~~[an~~
3 ~~annual]~~ business plan for the child protective services program to
4 prioritize the department's activities and resources to improve the
5 program.

6 (b) The department shall coordinate with the department's
7 regional staff in developing the ~~[annual]~~ business plan under this
8 section.

9 (c) The ~~[annual]~~ business plan developed under this section
10 must include:

11 (1) long-term and short-term performance goals;
12 (2) identification of priority projects and ongoing
13 initiatives that are clearly linked to established goals; and

14 (3) a statement of staff expectations that includes
15 identification of:

16 (A) the person or team responsible for each
17 project;

18 (B) the specific tasks and deliverables
19 expected;

20 (C) the resources needed to accomplish each
21 project;

22 (D) a time frame for the completion of each
23 deliverable and project; and

24 (E) the expected outcome for each project and the
25 method and procedure for measuring the outcome to ensure effective
26 evaluation for each project.

27 (d) Not later than October 1 of each even-numbered year, the

1 department shall submit the [~~annual~~] business plan developed under
2 this section to the governor, lieutenant governor, speaker of the
3 house of representatives, and chairs of the standing committees of
4 the senate and house of representatives having primary jurisdiction
5 over child protection issues.

6 SECTION 1.35. The heading to Section 40.0528, Human
7 Resources Code, is amended to read as follows:

8 Sec. 40.0528. GOALS FOR [~~ANNUAL~~] BUSINESS PLAN FOR CHILD
9 PROTECTIVE SERVICES; REPORTING CASELOAD INFORMATION.

10 SECTION 1.36. Section 40.0528(a), Human Resources Code, is
11 amended to read as follows:

12 (a) The department shall consider the following goals in
13 developing the [~~annual~~] business plan required under Section
14 40.05275 for the child protective services program:

- 15 (1) reducing caseloads;
- 16 (2) enhancing accountability;
- 17 (3) improving the quality of investigations;
- 18 (4) eliminating delays; and
- 19 (5) ensuring the most efficient and effective use of
20 child protective services staff and resources.

21 SECTION 1.37. Section 114.008(a), Human Resources Code, is
22 amended to read as follows:

23 (a) Not later than November 1 of each even-numbered year,
24 the council shall:

- 25 (1) prepare a report summarizing requirements the
26 council identifies and recommendations for providing additional or
27 improved services to persons with autism or other pervasive

1 developmental disorders; and

2 (2) deliver the report to [~~the executive~~
3 ~~commissioner,~~] the governor, the lieutenant governor, and the
4 speaker of the house of representatives.

5 SECTION 1.38. Section 412.053(b), Labor Code, is amended to
6 read as follows:

7 (b) The information shall be reported not later than the
8 60th day after [~~before~~] the last day of each fiscal year.

9 SECTION 1.39. Section 413.0515, Labor Code, is amended to
10 read as follows:

11 Sec. 413.0515. REPORTS OF PHYSICIAN AND CHIROPRACTOR
12 VIOLATIONS. (a) If the division or the Texas Medical [~~State~~]
13 Board [~~of Medical Examiners~~] discovers an act or omission by a
14 physician that may constitute a felony, a misdemeanor involving
15 moral turpitude, a violation of state or federal narcotics or
16 controlled substance law, an offense involving fraud or abuse under
17 the Medicare or Medicaid program, or a violation of this subtitle,
18 the discovering agency shall report in a widely used electronic
19 format that act or omission to the other agency.

20 (b) If the division or the Texas Board of Chiropractic
21 Examiners discovers an act or omission by a chiropractor that may
22 constitute a felony, a misdemeanor involving moral turpitude, a
23 violation of state or federal narcotics or controlled substance
24 law, an offense involving fraud or abuse under the Medicare or
25 Medicaid program, or a violation of this subtitle, the discovering
26 agency shall report in a widely used electronic format that act or
27 omission to the other agency.

1 SECTION 1.40. Section 161.2111, Natural Resources Code, is
2 amended to read as follows:

3 Sec. 161.2111. REPORT TO BOND REVIEW BOARD. When the
4 Veterans' Land Board applies under Subchapter C, Chapter 1231,
5 Government Code, for the Bond Review Board's approval of a bond
6 issuance, or on request of the Bond Review Board, with [~~with~~]
7 respect to purchases made under this chapter, the Veterans' Land
8 Board shall file [~~annually~~] with the Bond Review Board a report on
9 the performance of loans made by the Veterans' Land Board in
10 connection with the purchases. The Bond Review Board shall review
11 the reports filed by the Veterans' Land Board under this section to
12 assess the performance of loans made under this chapter. The filing
13 dates and the contents of the reports must comply with any rules
14 adopted by the Bond Review Board.

15 SECTION 1.41. Section 162.003(e), Natural Resources Code,
16 is amended to read as follows:

17 (e) When the Veterans' Land Board applies under Subchapter
18 C, Chapter 1231, Government Code, for the Bond Review Board's
19 approval of a bond issuance, or on request of the Bond Review Board,
20 with [~~With~~] respect to loans made under the program, the Veterans'
21 Land Board shall file [~~annually~~] with the Bond Review Board a report
22 on the performance of the loans. The Bond Review Board shall review
23 the reports filed by the Veterans' Land Board under this subsection
24 to assess the performance of loans made under the program. The
25 filing dates and the contents of the reports must comply with any
26 rules adopted by the Bond Review Board.

27 SECTION 1.42. Section 13.063, Utilities Code, is amended to

1 read as follows:

2 Sec. 13.063. ANNUAL REPORT [~~REPORTS~~]. [~~(b)~~] The office
3 shall prepare annually a report on the office's activities during
4 the preceding year and submit the report to the standing
5 legislative committees that have jurisdiction over the office, the
6 house appropriations committee, and the senate finance committee[~~7~~
7 ~~and the Sunset Advisory Commission~~]. At a minimum, the report must
8 include:

9 (1) a list of the types of activities conducted by the
10 office and the time spent by the office on each activity;

11 (2) the number of hours billed by the office for
12 representing residential or small commercial consumers in
13 proceedings;

14 (3) the number of staff positions and the type of work
15 performed by each position; and

16 (4) the office's rate of success in representing
17 residential or small commercial consumers in appealing commission
18 decisions.

19 SECTION 1.43. Section [17.1245](#), Water Code, is amended to
20 read as follows:

21 Sec. 17.1245. EVALUATION. [~~(a)~~] In passing on an
22 application for financial assistance from a retail public utility
23 that provides potable water service to 3,300 or more connections,
24 the board shall:

25 (1) evaluate for compliance with the board's best
26 management practices the utility's water conservation plan
27 required under Section [13.146](#); and

1 (2) issue a report to a utility detailing the results
2 of the evaluation conducted under Subdivision (1).

3 ~~[(b) Not later than January 1 of each odd-numbered year, the~~
4 ~~board shall submit to the legislature a written summary of the~~
5 ~~results of evaluations conducted under Subsection (a)(1).]~~

6 SECTION 1.44. Sections 27.0516(k) and (m), Water Code, are
7 amended to read as follows:

8 (k) Notwithstanding Subsection (h)(3), a general permit may
9 authorize the owner of an injection well authorized under
10 Subsection (f)(2) or (3) to continue operating the well for the
11 purpose of implementing the desalination or engineered aquifer
12 storage and recovery project following completion of the
13 small-scale research project, provided that:

14 (1) the injection well owner timely submits the
15 information collected as part of the research project, including
16 monitoring reports and information regarding the environmental
17 impact of the well, to the commission;

18 (2) the injection well owner, following the completion
19 of studies and monitoring adequate to characterize risks to the
20 fresh water portion of the Edwards Aquifer and other fresh water
21 associated with the continued operation of the well, and at least 90
22 days before the date the owner initiates commercial well
23 operations, files with the commission a notice of intent to
24 continue operation of the well after completion of the research
25 project; and

26 (3) the commission, based on the studies and
27 monitoring~~[, the report provided by Texas State University--San~~

1 ~~Marcos under Subsection (1)(2),~~] and any other reasonably available
2 information, determines that continued operation of the injection
3 well as described in the notice of intent does not pose an
4 unreasonable risk to the fresh water portion of the Edwards Aquifer
5 or other fresh water associated with the continued operation of the
6 well.

7 (m) The commission shall make the information provided by
8 the owner of the injection well under Subsection (k)(1) [~~and the~~
9 ~~report provided by Texas State University--San Marcos under~~
10 ~~Subsection (1)(2)~~] easily accessible to the public in a timely
11 manner. The permit may authorize the owner of the well to continue
12 operating the well following completion of the research project
13 pending the determination by the commission.

14 ARTICLE 2. CONFORMING AMENDMENTS REGARDING COLONIAS PROJECTS

15 ADMINISTERED BY STATE AGENCIES

16 SECTION 2.01. The heading to Section 51.0052, Education
17 Code, is amended to read as follows:

18 Sec. 51.0052. APPLICATION REQUIREMENT FOR COLONIAS
19 PROJECTS [~~REPORT TO SECRETARY OF STATE~~].

20 SECTION 2.02. Section 51.0052(d), Education Code, is
21 amended to read as follows:

22 (d) Regarding any projects funded by an institution of
23 higher education that provide assistance to colonias, the [~~The~~]
24 institution of higher education shall require an applicant for the
25 funds [~~administered by the institution~~] to submit to the
26 institution a colonia classification number, if one exists, for
27 each colonia that may be served by the project proposed in the

1 application. If a colonia does not have a classification number,
2 the institution of higher education may contact the secretary of
3 state or the secretary of state's representative to obtain the
4 classification number. On request of the institution, the
5 secretary of state or the secretary of state's representative shall
6 assign a classification number to the colonia.

7 SECTION 2.03. The heading to Section 487.060, Government
8 Code, is amended to read as follows:

9 Sec. 487.060. APPLICATION REQUIREMENT FOR COLONIAS
10 PROJECTS [~~REPORT TO SECRETARY OF STATE~~].

11 SECTION 2.04. Section 487.060(d), Government Code, is
12 amended to read as follows:

13 (d) Regarding any projects funded by the department that
14 serve colonias by providing water or wastewater services, paved
15 roads, or other assistance, the [The] department shall require an
16 applicant for the funds [~~administered by the department~~] to submit
17 to the department a colonia classification number, if one exists,
18 for each colonia that may be served by the project proposed in the
19 application. If a colonia does not have a classification number,
20 the department may contact the secretary of state or the secretary
21 of state's representative to obtain a number. On request of the
22 department, the secretary of state or the secretary of state's
23 representative shall assign a classification number.

24 SECTION 2.05. The heading to Section 531.0141, Government
25 Code, is amended to read as follows:

26 Sec. 531.0141. APPLICATION REQUIREMENT FOR COLONIAS
27 PROJECTS [~~REPORT TO SECRETARY OF STATE~~].

1 SECTION 2.06. Section 531.0141(d), Government Code, is
2 amended to read as follows:

3 (d) Regarding any projects funded by the commission that
4 provide assistance to colonias, the [The] commission shall require
5 an applicant for the funds [~~administered by the commission~~] to
6 submit to the commission a colonia classification number, if one
7 exists, for each colonia that may be served by the project proposed
8 in the application. If a colonia does not have a classification
9 number, the commission may contact the secretary of state or the
10 secretary of state's representative to obtain the classification
11 number. On request of the commission, the secretary of state or the
12 secretary of state's representative shall assign a classification
13 number to the colonia.

14 SECTION 2.07. The heading to Section 2306.083, Government
15 Code, is amended to read as follows:

16 Sec. 2306.083. APPLICATION REQUIREMENT FOR COLONIAS
17 PROJECTS [~~REPORT TO SECRETARY OF STATE~~].

18 SECTION 2.08. Section 2306.083(d), Government Code, is
19 amended to read as follows:

20 (d) Regarding any projects funded by the department that
21 provide assistance to colonias, the [The] department shall require
22 an applicant for the funds [~~administered by the department~~] to
23 submit to the department a colonia classification number, if one
24 exists, for each colonia that may be served by the project proposed
25 in the application. If a colonia does not have a classification
26 number, the department may contact the secretary of state or the
27 secretary of state's representative to obtain the classification

1 number. On request of the department, the secretary of state or the
2 secretary of state's representative shall assign a classification
3 number to the colonia.

4 SECTION 2.09. The heading to Section 1001.033, Health and
5 Safety Code, is amended to read as follows:

6 Sec. 1001.033. APPLICATION REQUIREMENT FOR COLONIAS
7 PROJECTS [~~REPORT TO SECRETARY OF STATE~~].

8 SECTION 2.10. Section 1001.033(d), Health and Safety Code,
9 is amended to read as follows:

10 (d) Regarding any projects funded by the commission that
11 provide assistance to colonias, the [The] commission shall require
12 an applicant for the funds [~~administered by the commission~~] to
13 submit to the commission a colonia classification number, if one
14 exists, for each colonia that may be served by the project proposed
15 in the application. If a colonia does not have a classification
16 number, the commission may contact the secretary of state or the
17 secretary of state's representative to obtain the classification
18 number. On request of the commission, the secretary of state or the
19 secretary of state's representative shall assign a classification
20 number to the colonia.

21 SECTION 2.11. The heading to Section 201.116,
22 Transportation Code, is amended to read as follows:

23 Sec. 201.116. APPLICATION REQUIREMENT FOR COLONIAS
24 PROJECTS [~~REPORT TO SECRETARY OF STATE~~].

25 SECTION 2.12. Section 201.116(d), Transportation Code, is
26 amended to read as follows:

27 (d) Regarding any projects funded by the commission that

1 serve colonias by providing paved roads or other assistance, the
2 ~~[The]~~ commission shall require an applicant for the funds
3 ~~[administered by the commission]~~ to submit to the commission a
4 colonia classification number, if one exists, for each colonia that
5 may be served by the project proposed in the application. If a
6 colonia does not have a classification number, the commission may
7 contact the secretary of state or the secretary of state's
8 representative to obtain the classification number. On request of
9 the commission, the secretary of state or the secretary of state's
10 representative shall assign a classification number to the colonia.

11 SECTION 2.13. The heading to Section 5.1781, Water Code, is
12 amended to read as follows:

13 Sec. 5.1781. APPLICATION REQUIREMENT FOR COLONIAS PROJECTS
14 ~~[REPORT TO SECRETARY OF STATE]~~.

15 SECTION 2.14. Section 5.1781(d), Water Code, is amended to
16 read as follows:

17 (d) Regarding any projects funded by the commission that
18 provide assistance to colonias, the ~~[The]~~ commission shall require
19 an applicant for the funds ~~[administered by the commission]~~ to
20 submit to the commission a colonia classification number, if one
21 exists, for each colonia that may be served by the project proposed
22 in the application. If a colonia does not have a classification
23 number, the commission may contact the secretary of state or the
24 secretary of state's representative to obtain the classification
25 number. On request of the commission, the secretary of state or the
26 secretary of state's representative shall assign a classification
27 number to the colonia.

1 SECTION 2.15. The heading to Section 6.1565, Water Code, is
2 amended to read as follows:

3 Sec. 6.1565. APPLICATION REQUIREMENT FOR COLONIAS PROJECTS
4 ~~[REPORT TO SECRETARY OF STATE]~~.

5 SECTION 2.16. Section 6.1565(d), Water Code, is amended to
6 read as follows:

7 (d) Regarding any projects funded by the board that serve
8 colonias by providing water or wastewater services or other
9 assistance, the ~~[The]~~ board shall require an applicant for the
10 funds ~~[administered by the board]~~ to submit to the board a colonia
11 classification number, if one exists, for each colonia that may be
12 served by the project proposed in the application. If a colonia
13 does not have a classification number, the board may contact the
14 secretary of state or the secretary of state's representative to
15 obtain the classification number. On request of the board, the
16 secretary of state or the secretary of state's representative shall
17 assign a classification number to the colonia.

18 ARTICLE 3. REPEALER AND EFFECTIVE DATE

19 SECTION 3.01. The following provisions are repealed:

20 (1) Sections 51.0052(b) and (c) and 61.506(g),
21 Education Code;

22 (2) Sections 487.060(b) and (c), 531.0141(b) and (c),
23 531.026, 2165.055, 2165.1061(f) and (h), 2166.101(d), 2166.104,
24 2166.108(d), 2206.101(d), 2306.070, and 2306.083(b) and (c),
25 Government Code;

26 (3) Sections 361.0215(d), 533.006, and 1001.033(b)
27 and (c), Health and Safety Code;

1 (4) Sections [22.0252\(b\)](#), [22.028\(c\)](#), and [101A.158](#),
2 Human Resources Code;

3 (5) Sections [201.116\(b\)](#) and (c), Transportation Code;
4 and

5 (6) Sections [5.1781\(b\)](#) and (c), [6.1565\(b\)](#) and (c),
6 [16.022](#), [26.3574\(x\)](#), and [27.0516\(l\)](#), Water Code.

7 SECTION 3.02. This Act takes effect September 1, 2019.