

## **BILL ANALYSIS**

S.B. 713  
By: Buckingham  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

S.B. 713 is the sunset schedule bill, which is filed each session to make necessary adjustments to better align agencies set for review by the Sunset Advisory Commission during the upcoming review cycles and balance the commission's review workload. The bill also updates a provision governing the sunset review process to allow for exemptions during a declared disaster, such as the COVID-19 pandemic.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 713 amends the Government Code, Health and Safety Code, Insurance Code, Labor Code, Occupations Code, and Utilities Code, as well as Section 1A(a), Chapter 426, Acts of the 45th Legislature, Regular Session, 1937, to make changes to the review cycle for certain state agencies and other entities under the Texas Sunset Act as indicated below. Additionally, the bill repeals certain sunset review requirements and provides for exemptions from the sunset review process during a declared disaster.

#### **Sunset Review Cycle Changes**

S.B. 713 officially postpones the sunset review of the following entities from the 2020-2021 review cycle to the 2022-2023 review cycle, reflecting the Sunset Advisory Commission's determination that the agencies were unable to be reviewed due to their involvement in the response to the COVID-19 pandemic:

- the Texas Economic Development and Tourism Office; and
- the Office of State-Federal Relations.

S.B. 713 provides for another review of the San Jacinto River Authority during the 2022-2023 review cycle.

S.B. 713 moves forward the sunset review for the following entities from the 2024-2025 review cycle to the 2022-2023 review cycle:

- the Public Utility Commission of Texas, which would also effectively adjust the review date for ERCOT to the same review cycle; and
- the Office of Public Utility Counsel.

S.B. 713 postpones the sunset review of the following entities from the 2022-2023 review cycle to the 2024-2025 review cycle:

- the Texas Department of Insurance (TDI);
- the workers' compensation division of TDI;
- the Office of Public Insurance Counsel; and
- the office of injured employee counsel.

S.B. 713 postpones the sunset review of the following entities from the 2022-2023 review cycle to the 2026-2027 review cycle:

- the Texas Public Finance Authority;
- the Texas State Affordable Housing Corporation; and
- the Commission on State Emergency Communications.

S.B. 713 postpones the sunset review of the Cancer Prevention and Research Institute of Texas from the 2022-2023 review cycle to the 2028-2029 review cycle.

S.B. 713 foregoes passage of legislation following the 2020-2021 limited-scope sunset review of the State Board of Veterinary Medical Examiners (TBVME) and schedules the next full sunset review for the 2028-2029 review cycle. The bill provides for a limited-scope, special purpose review of the TBVME for the 88th Legislature and an effectiveness audit of the TBVME by the state auditor related to certain data-related processes and procedures and the implementation of related recommendations of the Sunset Advisory Commission. The bill sets out related provisions, including a prohibition against the auditor beginning the audit before December 1, 2023, and a requirement for the auditor to prepare and submit a report of findings to the sunset commission's chair and executive director not later than December 1, 2024.

S.B. 713 postpones the sunset review of the following entities from the 2024-2025 review cycle to the 2030-2031 review cycle:

- the Texas Real Estate Commission; and
- the Texas Appraiser Licensing and Certification Board.

#### **Entity Removed From Sunset Review**

S.B. 713 repeals the provision subjecting the Texas A&M Forest Service to the sunset review process.

#### **Limited Reviews Removed From Sunset Review**

S.B. 713 repeals provisions that provide for a limited-scope sunset review of the Health and Human Services Commission (HHSC) during the 2022-2023 state fiscal biennium regarding the consolidation of the state's health and human services system and the need to continue the Department of State Health Services and the Department of Family and Protective Services as stand-alone agencies.

S.B. 713 repeals provisions requiring the sunset commission to conduct a special-purpose review of the overall performance of the HHSC office of inspector general during the 2022-2023 review cycle.

#### **Procedures During Declared Disaster**

S.B. 713 authorizes the sunset commission to exempt an agency from the requirements of the Texas Sunset Act relating to staff reports, hearings, and reviews in an applicable review cycle if the commission determines the agency is unable to participate in the review due to a declared disaster.

## **Repealers**

S.B. 713 repeals the following provisions:

- Section 88.1016, Education Code;
- Section 531.0206, Government Code; and
- Section 531.102(y), Government Code.

## **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.