

By: Buckingham

S.B. No. 713

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the sunset review process and certain governmental
3 entities subject to that process.

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

5 ARTICLE 1. ENTITIES GIVEN 2023 SUNSET DATE

6 SECTION 1.01. TEXAS ECONOMIC DEVELOPMENT AND TOURISM
7 OFFICE. Section 481.003, Government Code, is amended to read as
8 follows:

9 Sec. 481.003. SUNSET PROVISION. The Texas Economic
10 Development and Tourism Office is subject to Chapter 325 (Texas
11 Sunset Act). Unless continued in existence as provided by that
12 chapter, the office is abolished and this chapter expires September
13 1, 2023 [~~2021~~].

14 SECTION 1.02. OFFICE OF STATE-FEDERAL RELATIONS. Section
15 751.003, Government Code, is amended to read as follows:

16 Sec. 751.003. SUNSET PROVISION. The Office of
17 State-Federal Relations is subject to Chapter 325 (Texas Sunset
18 Act). Unless continued in existence as provided by that chapter,
19 the office is abolished and this chapter expires September 1, 2023
20 [~~2021~~].

21 SECTION 1.03. PUBLIC UTILITY COMMISSION OF TEXAS. Section
22 12.005, Utilities Code, is amended to read as follows:

23 Sec. 12.005. APPLICATION OF SUNSET ACT. The Public Utility
24 Commission of Texas is subject to Chapter 325, Government Code

1 (Texas Sunset Act). Unless continued in existence as provided by
2 that chapter or by Chapter 39, the commission is abolished and this
3 title expires September 1, 2023 [~~2025~~].

4 SECTION 1.04. OFFICE OF PUBLIC UTILITY COUNSEL. Section
5 13.002, Utilities Code, is amended to read as follows:

6 Sec. 13.002. APPLICATION OF SUNSET ACT. The Office of
7 Public Utility Counsel is subject to Chapter 325, Government Code
8 (Texas Sunset Act). Unless continued in existence as provided by
9 that chapter, the office is abolished and this chapter expires
10 September 1, 2023 [~~2025~~].

11 SECTION 1.05. SAN JACINTO RIVER AUTHORITY. Section 1A(a),
12 Chapter 426, Acts of the 45th Legislature, Regular Session, 1937,
13 is amended to read as follows:

14 (a) The District is subject to review under Chapter 325,
15 Government Code (Texas Sunset Act), but may not be abolished under
16 that chapter. The review shall be conducted under Section 325.025,
17 Government Code, as if the District were a state agency scheduled to
18 be abolished September 1, 2023 [~~2021~~], and every 12th year after
19 that year.

20 ARTICLE 2. ENTITIES GIVEN 2025 SUNSET DATE

21 SECTION 2.01. TEXAS DEPARTMENT OF INSURANCE AND DIVISION OF
22 WORKERS' COMPENSATION, TEXAS DEPARTMENT OF INSURANCE. Section
23 31.004, Insurance Code, is amended to read as follows:

24 Sec. 31.004. SUNSET PROVISION. (a) The Texas Department of
25 Insurance is subject to Chapter 325, Government Code (Texas Sunset
26 Act). Unless continued in existence as provided by that chapter,
27 the department is abolished September 1, 2025 [~~2023~~].

1 (b) Unless continued as provided by Chapter 325, Government
2 Code, the duties of the division of workers' compensation of the
3 Texas Department of Insurance under Title 5, Labor Code, expire
4 September 1, 2025 [~~2023~~], or another date designated by the
5 legislature.

6 SECTION 2.02. OFFICE OF PUBLIC INSURANCE COUNSEL. Section
7 501.003, Insurance Code, is amended to read as follows:

8 Sec. 501.003. SUNSET PROVISION. The office is subject to
9 Chapter 325, Government Code (Texas Sunset Act). Unless continued
10 in existence as provided by that chapter, the office is abolished
11 September 1, 2025 [~~2023~~].

12 SECTION 2.03. OFFICE OF INJURED EMPLOYEE COUNSEL. Section
13 404.003, Labor Code, is amended to read as follows:

14 Sec. 404.003. SUNSET PROVISION. The office of injured
15 employee counsel is subject to Chapter 325, Government Code (Texas
16 Sunset Act). Unless continued in existence as provided by that
17 chapter, the office is abolished and this chapter expires September
18 1, 2025 [~~2023~~].

19 ARTICLE 3. ENTITIES GIVEN 2027 SUNSET DATE

20 SECTION 3.01. TEXAS PUBLIC FINANCE AUTHORITY. Section
21 1232.072, Government Code, is amended to read as follows:

22 Sec. 1232.072. SUNSET PROVISION. The Texas Public Finance
23 Authority is subject to Chapter 325 (Texas Sunset Act). Unless
24 continued in existence as provided by that chapter, the authority
25 is abolished and this chapter expires September 1, 2027 [~~2023~~].

26 SECTION 3.02. TEXAS STATE AFFORDABLE HOUSING CORPORATION.
27 Section 2306.5521, Government Code, is amended to read as follows:

1 Sec. 2306.5521. SUNSET PROVISION. The Texas State
2 Affordable Housing Corporation is subject to Chapter 325 (Texas
3 Sunset Act). Unless continued in existence as provided by that
4 chapter, the corporation is abolished and this subchapter expires
5 September 1, 2027 [~~2023~~].

6 SECTION 3.03. COMMISSION ON STATE EMERGENCY
7 COMMUNICATIONS. Section 771.032, Health and Safety Code, is
8 amended to read as follows:

9 Sec. 771.032. APPLICATION OF SUNSET ACT. The Commission on
10 State Emergency Communications is subject to Chapter 325,
11 Government Code (Texas Sunset Act). Unless continued in existence
12 as provided by that chapter, the commission is abolished and this
13 chapter expires September 1, 2027 [~~2023~~].

14 ARTICLE 4. ENTITIES GIVEN 2029 SUNSET DATE

15 SECTION 4.01. CANCER PREVENTION AND RESEARCH INSTITUTE OF
16 TEXAS. Section 102.003, Health and Safety Code, is amended to read
17 as follows:

18 Sec. 102.003. SUNSET PROVISION. The Cancer Prevention and
19 Research Institute of Texas is subject to Chapter 325, Government
20 Code (Texas Sunset Act). Unless continued in existence as provided
21 by that chapter, the institute is abolished and this chapter
22 expires September 1, 2029 [~~2023~~].

23 SECTION 4.02. STATE BOARD OF VETERINARY MEDICAL EXAMINERS.
24 (a) Section 801.003, Occupations Code, is amended to read as
25 follows:

26 Sec. 801.003. APPLICATION OF SUNSET ACT. The State Board of
27 Veterinary Medical Examiners is subject to Chapter 325, Government

1 Code (Texas Sunset Act). Unless continued in existence as provided
2 by that chapter, the board is abolished [~~and this chapter expires~~]
3 September 1, 2029 [~~2021~~].

4 (b) The Sunset Advisory Commission shall conduct a
5 special-purpose review of the State Board of Veterinary Medical
6 Examiners for the 88th Legislature. In conducting the
7 special-purpose review under this subsection:

8 (1) the Sunset Advisory Commission staff evaluation
9 and report must be limited to reviewing the implementation of the
10 State Board of Veterinary Medical Examiners' database system and
11 the board's processes and procedures for collecting and analyzing
12 data as recommended by the commission to the 87th Legislature; and

13 (2) the commission's recommendations to the 88th
14 Legislature may include any recommendation the commission
15 considers appropriate based on the special-purpose review.

16 (c) The state auditor shall conduct an effectiveness audit
17 of the State Board of Veterinary Medical Examiners to evaluate:

18 (1) the board's implementation of the data-related
19 recommendations made in the report on the board submitted by the
20 Sunset Advisory Commission to the 85th Legislature and identified
21 as not fully implemented in the report on the board submitted by the
22 commission to the 87th Legislature; and

23 (2) any additional recommendation made in the Sunset
24 Advisory Commission's report on the special-purpose review under
25 Subsection (b) of this section.

26 (d) The state auditor may not begin the audit required by
27 Subsection (c) of this section before December 1, 2023, and shall

1 prepare and submit a report of the findings of the audit to the
2 chair and executive director of the Sunset Advisory Commission not
3 later than December 1, 2024.

4 (e) The state auditor shall include the auditor's duties
5 under this section in each audit plan under Section 321.013,
6 Government Code, that governs the auditor's duties for the period
7 specified by Subsection (d) of this section.

8 ARTICLE 5. ENTITIES GIVEN 2031 SUNSET DATE

9 SECTION 5.01. TEXAS REAL ESTATE COMMISSION. Section
10 1101.006, Occupations Code, is amended to read as follows:

11 Sec. 1101.006. APPLICATION OF SUNSET ACT. The Texas Real
12 Estate Commission is subject to Chapter 325, Government Code (Texas
13 Sunset Act). Unless continued in existence as provided by that
14 chapter, the commission is abolished and this chapter, Chapter
15 1102, and Chapter 1303 of this code and Chapter 221, Property Code,
16 expire September 1, 2031 [~~2025~~].

17 SECTION 5.02. TEXAS APPRAISER LICENSING AND CERTIFICATION
18 BOARD. Section 1103.006, Occupations Code, is amended to read as
19 follows:

20 Sec. 1103.006. APPLICATION OF SUNSET ACT. The Texas
21 Appraiser Licensing and Certification Board is subject to Chapter
22 325, Government Code (Texas Sunset Act). Unless continued in
23 existence as provided by that chapter, the board is abolished and
24 this chapter and Chapter 1104 expire September 1, 2031 [~~2025~~].

25 ARTICLE 6. ENTITIES REMOVED FROM SUNSET REVIEW

26 SECTION 6.01. TEXAS A&M FOREST SERVICE. Section 88.1016,
27 Education Code, is repealed.

1 ARTICLE 7. LIMITED REVIEWS REMOVED FROM SUNSET REVIEW

2 SECTION 7.01. HEALTH AND HUMAN SERVICES COMMISSION,
3 DEPARTMENT OF STATE HEALTH SERVICES, AND DEPARTMENT OF FAMILY AND
4 PROTECTIVE SERVICES. Section 531.0206, Government Code, is
5 repealed.

6 SECTION 7.02. THE HEALTH AND HUMAN SERVICES COMMISSION'S
7 OFFICE OF INSPECTOR GENERAL. Section 531.102(y), Government Code,
8 is repealed.

9 ARTICLE 8. SUNSET REVIEW PROCESS

10 SECTION 8.01. PROCEDURES DURING DECLARED DISASTER. Section
11 325.0125(b), Government Code, is amended to read as follows:

12 (b) The commission may only exempt agencies that have been
13 inactive for a period of two years preceding the date the agency is
14 scheduled for abolition, ~~or~~ that have been rendered inactive by
15 an action of the legislature, or that the commission determines are
16 unable to participate in the review due to a declared disaster.

17 ARTICLE 9. EFFECTIVE DATE

18 SECTION 9.01. EFFECTIVE DATE. This Act takes effect
19 immediately if it receives a vote of two-thirds of all the members
20 elected to each house, as provided by Section 39, Article III, Texas
21 Constitution. If this Act does not receive the vote necessary for
22 immediate effect, this Act takes effect September 1, 2021.