

By: Nelson
(Paddie)

S.B. No. 800

Substitute the following for S.B. No. 800:

By: Paddie

C.S.S.B. No. 800

A BILL TO BE ENTITLED

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

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

5 SECTION 1. Articles 2.305(b) and (d), Code of Criminal
6 Procedure, are amended to read as follows:

7 (b) An entity described by Subsection (a) that investigates
8 the alleged commission of an offense under Chapter 20A, Penal Code,
9 or the alleged commission of an offense under Chapter 43, Penal
10 Code, which may involve human trafficking, shall submit to the
11 attorney general a report in the manner and form prescribed by the
12 attorney general containing the following information:

13 (1) the offense being investigated, including a brief
14 description of the alleged prohibited conduct;

15 (2) regarding each person suspected of committing the
16 offense and each victim of the offense:

17 (A) the person's:
18 (i) age;
19 (ii) gender; and
20 (iii) race or ethnicity, as defined by
21 Article 2.132; and

22 (B) the case number associated with the offense
23 and the person suspected of committing the offense;

24 (3) the date, time, and location of the alleged

1 offense;

2 (4) the type of human trafficking involved, including:

3 (A) forced labor or services, as defined by
4 Section 20A.01, Penal Code;

5 (B) causing the victim by force, fraud, or
6 coercion to engage in prohibited conduct involving one or more
7 sexual activities, including conduct described by Section
8 20A.02(a)(3), Penal Code; or

9 (C) causing a child victim by any means to engage
10 in, or become the victim of, prohibited conduct involving one or
11 more sexual activities, including conduct described by Section
12 20A.02(a)(7), Penal Code;

13 (5) if available, information regarding any victims'
14 service organization or program to which the victim was referred as
15 part of the investigation; and

16 (6) the disposition of the investigation, if any,
17 regardless of the manner of disposition.

18 (d) The attorney general may [~~shall~~] enter into a contract
19 with a university that provides for the university's assistance in
20 the collection and analysis of information received under this
21 article.

22 SECTION 2. Section 71.0353, Government Code, is amended to
23 read as follows:

24 Sec. 71.0353. TRAFFICKING OF PERSONS INFORMATION. (a) As a
25 component of the official monthly report submitted to the Office of
26 Court Administration of the Texas Judicial System, a district court
27 or county court at law shall report the number of cases filed for

1 the following offenses:

2 (1) trafficking of persons under Section 20A.02, Penal
3 Code;

4 (2) prostitution under Section 43.02, Penal Code; and

5 (3) compelling prostitution under Section 43.05,
6 Penal Code.

7 (b) A district or county court at law shall provide a copy of
8 the report required under Subsection (a) to the attorney general.

9 SECTION 3. Sections 402.034(g) and (h), Government Code,
10 are amended to read as follows:

11 (g) Not later than December 1 of each even-numbered year,
12 ~~[beginning with the year following the year the council submits a~~
13 ~~strategic plan to the legislature under Subsection (c)(2),]~~ the
14 council shall submit to the legislature a a ~~[an annual]~~ report
15 detailing the progress of the strategic plan's implementation. The
16 ~~[annual]~~ report must include:

17 (1) a description of the level of participation in the
18 strategic plan by each agency represented on the council and how the
19 implementation of the strategic plan serves to coordinate the
20 programs and services described by Subsection (f)(1) and achieve
21 the goals described by Subsection (f)(2)(B); and

22 (2) an update of the inventory of programs and
23 services described by Subsection (f)(1) and how each program or
24 service furthers the goals of the strategic plan.

25 (h) The office of the attorney general shall make available
26 on the office's Internet website the strategic plan and the report
27 ~~[annual reports]~~ required under Subsection (g).

1 SECTION 4. Sections 403.0147(b) and (c), Government Code,
2 are amended to read as follows:

3 (b) Not later than December 31 of each even-numbered year,
4 the comptroller shall submit a report to the legislature that
5 identifies for each state agency:

6 (1) each program the state agency is statutorily
7 required to implement for which no appropriation was made for the
8 preceding state fiscal year, along with a citation to the law
9 imposing the requirement; and

10 (2) the amount and source of money the state agency
11 spent, if any, to implement any portion of the program described by
12 Subdivision (1) during the preceding state fiscal year.

13 (c) A state agency shall provide to the comptroller not
14 later than September 30 of each even-numbered year information
15 necessary for the comptroller to prepare the report required by
16 this section. The comptroller may prescribe the form and content of
17 the information a state agency must provide.

18 SECTION 5. Section 404.094(a), Government Code, is amended
19 to read as follows:

20 (a) Fees, fines, penalties, taxes, charges, gifts, grants,
21 donations, and other funds collected or received by a state agency
22 under law shall be deposited in the treasury, credited to a special
23 fund or funds, and subject to appropriation only for the purposes
24 for which they are otherwise authorized to be expended or
25 disbursed. A deposit shall be made at the earliest possible time
26 that the treasury can accept those funds, but not later than the
27 third business day after the date of receipt. However, if an agency

1 determines that for seasonal or other extraordinary reasons
2 deposits cannot be made by the third business day after the date of
3 receipt, the agency shall provide written notice of the
4 determination to the state auditor and comptroller with an
5 explanation of the circumstances that require the delay. If the
6 state auditor finds that an agency has not complied with this
7 subsection, the state auditor shall make an estimate of any
8 resulting financial loss to the state, taking into consideration
9 compliance costs that would have been additionally incurred by the
10 agency, and report the amount on the state auditor's Internet
11 website [~~to the legislative audit committee, the governor, and the~~
12 ~~comptroller~~].

13 SECTION 6. Section [531.02492](#)(b), Government Code, is
14 amended to read as follows:

15 (b) The commission shall electronically publish on the
16 commission's Internet website a biennial report and, on or before
17 the date the report is due, shall notify the governor, the
18 lieutenant governor, the speaker of the house of representatives,
19 the comptroller, [~~the Legislative Budget Board,~~] and the
20 appropriate legislative committees that the report is available on
21 the commission's Internet website. The report must address the
22 efforts of the health and human services agencies to provide health
23 and human services to children younger than six years of age. The
24 report may contain recommendations by the commission to better
25 coordinate state agency programs relating to the delivery of health
26 and human services to children younger than six years of age and may
27 propose joint agency collaborative programs.

1 SECTION 7. Section 531.0998, Government Code, is amended by
2 adding Subsection (g) to read as follows:

3 (g) The report may be consolidated with any other report
4 relating to the same subject matter the commission is required to
5 submit under other law.

6 SECTION 8. Section 531.108(e), Government Code, is amended
7 to read as follows:

8 (e) Not later than October 1 of each year, the [The]
9 commission shall submit to the governor and Legislative Budget
10 Board an annual report on the results of computerized matching of
11 commission information with information from neighboring states,
12 if any, and information from the Texas Department of Criminal
13 Justice. The report may be consolidated with any other report
14 relating to the same subject matter the commission is required to
15 submit under other law.

16 SECTION 9. Section 2054.077(b), Government Code, is amended
17 to read as follows:

18 (b) The information security officer of a state agency shall
19 prepare or have prepared a report, including an executive summary
20 of the findings of the biennial report, not later than June 1
21 [October 15] of each even-numbered year, assessing the extent to
22 which a computer, a computer program, a computer network, a
23 computer system, a printer, an interface to a computer system,
24 including mobile and peripheral devices, computer software, or data
25 processing of the agency or of a contractor of the agency is
26 vulnerable to unauthorized access or harm, including the extent to
27 which the agency's or contractor's electronically stored

1 information is vulnerable to alteration, damage, erasure, or
2 inappropriate use.

3 SECTION 10. Section 2054.515(b), Government Code, is
4 amended to read as follows:

5 (b) Not later than December 1 of the year in which a state
6 agency conducts the assessment under Subsection (a) or the 60th day
7 after the date the agency completes the assessment, whichever
8 occurs first, the agency shall report the results of the assessment
9 to:

10 (1) the department; and

11 (2) on request, the governor, the lieutenant governor,
12 and the speaker of the house of representatives.

13 SECTION 11. Section 2054.516(a), Government Code, is
14 amended to read as follows:

15 (a) Each state agency implementing an Internet website or
16 mobile application that processes any sensitive personal or
17 personally identifiable information or confidential information
18 must:

19 (1) submit a biennial data security plan to the
20 department not later than June 1 [~~October 15~~] of each even-numbered
21 year to establish planned beta testing for the website or
22 application; and

23 (2) subject the website or application to a
24 vulnerability and penetration test and address any vulnerability
25 identified in the test.

26 SECTION 12. Section 2054.5192(e), Government Code, is
27 amended to read as follows:

1 (e) A contractor required to complete a cybersecurity
2 training program under this section shall verify completion of the
3 program to the contracting state agency. The person who oversees
4 contract management for the agency shall:

5 (1) not later than August 31 of each year, report the
6 contractor's completion to the department; and

7 (2) periodically review agency contracts to ensure
8 compliance with this section.

9 SECTION 13. The heading to Section 2310.052, Government
10 Code, is amended to read as follows:

11 Sec. 2310.052. EVALUATION[~~, REPORT~~].

12 SECTION 14. Section 103.013(f), Health and Safety Code, is
13 amended to read as follows:

14 (f) Not later than November 1 of each even-numbered year,
15 each state agency affected by the state plan, other than a state
16 agency represented on the council, shall report to the council, the
17 Legislative Budget Board, and the Governor's Office of Budget and
18 Planning:

19 (1) information determined under Subsection (e); and

20 (2) each deviation from the council's proposed plan,
21 including an explanation for the deviation.

22 SECTION 15. Sections 533A.006(a) and (b), Health and Safety
23 Code, are amended to read as follows:

24 (a) The executive commissioner shall submit a report to the
25 Texas Medical Board not later than 30 days after the last day of a
26 month during which any allegation is received by the commission
27 that a physician employed by or under contract with the commission

1 in relation to services provided under this title has committed an
2 action that constitutes a ground for the denial or revocation of the
3 physician's license under Section 164.051, Occupations Code. The
4 report must be made in the manner provided by Section 154.051,
5 Occupations Code.

6 (b) The department shall provide to the Texas Medical Board
7 a printed and electronic copy of any report or finding relating to
8 an investigation of an allegation reported to that board.

9 SECTION 16. Section 534.068(f), Health and Safety Code, is
10 amended to read as follows:

11 (f) The department shall annually submit to the governor[~~7~~
12 ~~Legislative Budget Board,~~] and Legislative Audit Committee a
13 summary of the significant findings identified during the
14 department's reviews of fiscal audit activities.

15 SECTION 17. Section 578.008, Health and Safety Code, is
16 amended to read as follows:

17 Sec. 578.008. USE OF INFORMATION[~~7~~, ~~REPORT~~]. [~~(a)~~] The
18 department shall use the information received under Sections
19 578.006 and 578.007 to analyze, audit, and monitor the use of
20 electroconvulsive therapy, psychosurgery, pre-frontal sonic sound
21 treatment, or any other convulsive or coma-producing therapy
22 administered to treat mental illness.

23 [~~(b)~~ ~~The department shall file annually with the governor~~
24 ~~and the presiding officer of each house of the legislature a written~~
25 ~~report summarizing by facility the information received under~~
26 ~~Sections 578.006 and 578.007. If the therapy is administered by a~~
27 ~~private physician on an outpatient basis, the report must include~~

1 ~~that information but may not identify the physician. The~~
2 ~~department may not directly or indirectly identify in a report~~
3 ~~issued under this section a patient who received the therapy.]~~

4 SECTION 18. Section 22.0292(d), Human Resources Code, is
5 amended to read as follows:

6 (d) Not later than October 1 of each year, the [The]
7 commission shall submit to the governor and the Legislative Budget
8 Board an annual report on the operation and success of the
9 information matching system required by this section. The report
10 may be consolidated with any other report relating to the same
11 subject matter the commission is required to submit under other
12 law.

13 SECTION 19. Section 101A.107, Human Resources Code, is
14 amended to read as follows:

15 Sec. 101A.107. REPORT ON UNIT COSTS. The department shall
16 file with the Legislative Budget Board and the Governor's Office of
17 Budget, Planning, and Policy a report that clearly identifies in a
18 state fiscal year the unit cost of each service, other than services
19 related to community service volunteering and subsidized
20 employment services, provided by an area agency on aging. The
21 report must be filed annually [~~twice each year~~] on or before the
22 date specified by the Legislative Budget Board. The report must be
23 in the form required by the Legislative Budget Board.

24 SECTION 20. Section 161.079(g), Human Resources Code, is
25 amended to read as follows:

26 (g) The department shall analyze the data reported under
27 Subsection (f) and collected from the form under Subsection (d)

1 ~~[and shall submit a report not later than December 1 of each~~
2 ~~even-numbered year to the governor and the Legislative Budget Board~~
3 ~~that summarizes the data analysis].~~

4 SECTION 21. Section 1305.502(a), Insurance Code, is amended
5 to read as follows:

6 (a) Not later than December 1 of each even-numbered year,
7 the ~~[The]~~ group shall develop and issue an ~~[annual]~~ informational
8 report card that identifies and compares, on an objective basis,
9 the quality, costs, health care provider availability, and other
10 analogous factors of workers' compensation health care networks
11 operating under the workers' compensation system of this state with
12 each other and with medical care provided outside of networks.

13 SECTION 22. The heading to Section 413.0515, Labor Code, is
14 amended to read as follows:

15 Sec. 413.0515. REPORTS OF ~~[PHYSICIAN AND]~~ CHIROPRACTOR
16 VIOLATIONS.

17 SECTION 23. Sections 504.053(c) and (d), Labor Code, are
18 amended to read as follows:

19 (c) If the political subdivision or pool provides medical
20 benefits in the manner authorized under Subsection (b)(2), the
21 following do not apply:

22 (1) Sections 408.004 and 408.0041, unless use of a
23 required medical examination or designated doctor is necessary to
24 resolve an issue relating to the entitlement to or amount of income
25 benefits under this title;

26 (2) Subchapter B, Chapter 408, except for Section
27 408.021;

1 (3) Chapter 413, except for Section 413.042; and

2 (4) Chapter 1305, Insurance Code, except for Sections
3 [~~1305.501~~], 1305.502~~[7]~~ and 1305.503.

4 (d) If the political subdivision or pool provides medical
5 benefits in the manner authorized under Subsection (b)(2), the
6 following standards apply:

7 (1) the political subdivision or pool must ensure that
8 workers' compensation medical benefits are reasonably available to
9 all injured workers of the political subdivision or the injured
10 workers of the members of the pool within a designed service area;

11 (2) the political subdivision or pool must ensure that
12 all necessary health care services are provided in a manner that
13 will ensure the availability of and accessibility to adequate
14 health care providers, specialty care, and facilities;

15 (3) the political subdivision or pool must have an
16 internal review process for resolving complaints relating to the
17 manner of providing medical benefits, including an appeal to the
18 governing body or its designee and appeal to an independent review
19 organization;

20 (4) the political subdivision or pool must establish
21 reasonable procedures for the transition of injured workers to
22 contract providers and for the continuity of treatment, including
23 notice of impending termination of providers and a current list of
24 contract providers;

25 (5) the political subdivision or pool shall provide
26 for emergency care if an injured worker cannot reasonably reach a
27 contract provider and the care is for medical screening or other

1 evaluation that is necessary to determine whether a medical
2 emergency condition exists, necessary emergency care services
3 including treatment and stabilization, and services originating in
4 a hospital emergency facility following treatment or stabilization
5 of an emergency medical condition;

6 (6) prospective or concurrent review of the medical
7 necessity and appropriateness of health care services must comply
8 with Article 21.58A, Insurance Code;

9 (7) the political subdivision or pool shall continue
10 to report data to the appropriate agency as required by Title 5 of
11 this code and Chapter 1305, Insurance Code; and

12 (8) a political subdivision or pool is subject to the
13 requirements under Sections [~~1305.501~~] 1305.502[~~7~~] and 1305.503,
14 Insurance Code.

15 SECTION 24. Section 1001.023(b), Transportation Code, is
16 amended to read as follows:

17 (b) The chair shall:

18 (1) preside over board meetings, make rulings on
19 motions and points of order, and determine the order of business;

20 (2) represent the department in dealing with the
21 governor;

22 (3) report to the governor on the state of affairs of
23 the department at least quarterly;

24 (4) report to the board the governor's suggestions for
25 department operations;

26 (5) report to the governor on efforts, including
27 legislative requirements, to maximize the efficiency of department

1 operations through the use of private enterprise;

2 (6) periodically review the department's
3 organizational structure and submit recommendations for structural
4 changes to the governor and~~[,]~~ the board~~[, and the Legislative~~
5 ~~Budget Board]~~;

6 (7) designate at least one employee of the department
7 as a civil rights officer of the department and receive regular
8 reports from the officer or officers on the department's efforts to
9 comply with civil rights legislation and administrative rules;

10 (8) create subcommittees, appoint board members to
11 subcommittees, and receive the reports of subcommittees to the
12 board as a whole;

13 (9) appoint a member of the board to act in the absence
14 of the chair and vice chair; and

15 (10) serve as the departmental liaison with the
16 governor and the Office of State-Federal Relations to maximize
17 federal funding for transportation.

18 SECTION 25. The following provisions are repealed:

- 19 (1) Section [201.0227](#)(d-1), Agriculture Code;
- 20 (2) Section [447.010](#)(j), Government Code;
- 21 (3) Chapter [2061](#), Government Code;
- 22 (4) Section [2165.303](#)(b), Government Code;
- 23 (5) Section [2310.052](#)(b), Government Code;
- 24 (6) Section [104.026](#)(c), Health and Safety Code;
- 25 (7) Section [161.502](#)(d), Health and Safety Code;
- 26 (8) Section [533A.062](#)(e), Health and Safety Code;
- 27 (9) Section [22.015](#), Human Resources Code;

- 1 (10) Section 1305.501, Insurance Code;
 - 2 (11) Section 2053.012, Insurance Code;
 - 3 (12) Sections 405.0025(b) and (c), Labor Code;
 - 4 (13) Section 408.030, Labor Code;
 - 5 (14) Section 413.0515(a), Labor Code;
 - 6 (15) Section 203.154(a), Occupations Code;
 - 7 (16) Section 452.159, Occupations Code;
 - 8 (17) Section 223.042(f), Transportation Code; and
 - 9 (18) Section 228.012(c), Transportation Code.
- 10 SECTION 26. This Act takes effect September 1, 2021.