

Suspending limitations on conference committee jurisdiction, S.B. No. 713 (Buckingham/Cyrrier)

By: Buckingham

S.R. No. 558

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 87th Legislature, Regular Session, 2021, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on Senate Bill 713 (the sunset review process and certain governmental entities subject to that process) to consider and take action on the following matters:

(1) Senate Rule 12.03(4) is suspended to permit the committee to add text on matters not included in either the house or senate version of the bill by adding the following new SECTIONS to the bill:

SECTION 1.03. ANATOMICAL BOARD OF THE STATE OF TEXAS. Section 691.003, Health and Safety Code, is amended to read as follows:

Sec. 691.003. SUNSET PROVISION. The Anatomical Board of the State of Texas is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished September 1, 2023 [~~2021~~].

SECTION 1.04. TEXAS COMMISSION OF LICENSING AND REGULATION; TEXAS DEPARTMENT OF LICENSING AND REGULATION. Section 51.002(a), Occupations Code, is amended to read as follows:

(a) The Texas Commission of Licensing and Regulation and the Texas Department of Licensing and Regulation are subject to

Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission and the department are abolished September 1, 2023 [~~2021~~].

SECTION 1.05. TEXAS COMMISSION ON LAW ENFORCEMENT. (a) Section 1701.002, Occupations Code, is amended to read as follows:

Sec. 1701.002. APPLICATION OF SUNSET ACT. The Texas Commission on Law Enforcement is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this chapter expires September 1, 2023 [~~2021~~].

(b) For purposes of Section 1701.002, Occupations Code, as amended by this Act, the Sunset Advisory Commission shall conduct a limited-scope review of the Texas Commission on Law Enforcement for the 88th Legislature.

(c) In conducting the limited-scope review under this section, the Sunset Advisory Commission staff evaluation and report must be limited to reviewing the appropriateness of the Sunset Advisory Commission's recommendations for the Texas Commission on Law Enforcement made to the 87th Legislature.

(d) The Sunset Advisory Commission's recommendations to the 88th Legislature may include any recommendations the commission considers appropriate based on the limited-scope review conducted under this section.

SECTION 3.04. TEXAS RACING COMMISSION. (a) Section 2021.008(a), Occupations Code, is amended to read as follows:

(a) The commission is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, and except as provided by Subsections (b) and (c), the commission is abolished and this subtitle expires September 1, 2027 [~~2021~~].

(b) Not later than December 1, 2021, the Texas Racing Commission shall replace all employees who were employed by the Texas Racing Commission on August 31, 2021, in:

- (1) an exempt position; or
- (2) a position at or above salary group B27 in the Texas Position Classification Plan, 1961.

(c) The Texas Racing Commission may not hire or rehire an individual to fill a position described by Subsection (b) of this section if the individual was employed by the commission in a position described by Subsection (b) of this section during the six months preceding the effective date of this Act.

Explanation: This addition is necessary to limit the scope of the next sunset review of the Texas Commission on Law Enforcement, to replace certain employees of the Texas Racing Commission, and to change the sunset review date various state agencies.

(2) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill by adding the following new SECTION to the bill:

ARTICLE 9. TRANSITION

SECTION 9.01. CONFLICT WITH OTHER LAWS. If a conflict

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exists between this Act and another Act of the 87th Legislature, Regular Session, 2021, that amends or repeals the sunset date of the governmental entity, the provisions of the other Act control without regard to the relative dates of enactment.

Explanation: This addition is necessary to address any conflicts with other legislation enacted by the 87th Legislature, Regular Session, 2021.

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President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 30, 2021, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate