

By: Schwertner S.B. No. 1659
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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 2029 SUNSET DATE

6 SECTION 1.01. TEXAS EDUCATION AGENCY. Section 7.004(a),
7 Education Code, is amended to read as follows:

8 (a) The Texas Education Agency is subject to Chapter 325,
9 Government Code (Texas Sunset Act). Unless continued in existence
10 as provided by that chapter, the agency is abolished September 1,
11 2029 [~~2027~~].

12 SECTION 1.02. EXPANDED LEARNING OPPORTUNITIES COUNCIL.
13 Section 33.254, Education Code, is amended to read as follows:

14 Sec. 33.254. SUNSET PROVISION. The council is subject to
15 Chapter 325, Government Code (Texas Sunset Act). Unless continued
16 in existence as provided by that chapter, the council is abolished
17 and this subchapter expires September 1, 2029 [~~2027~~].

18 SECTION 1.03. TEXAS HIGHER EDUCATION COORDINATING BOARD.
19 Section 61.0211, Education Code, is amended to read as follows:

20 Sec. 61.0211. SUNSET PROVISION. The Texas Higher Education
21 Coordinating Board is subject to Chapter 325, Government Code
22 (Texas Sunset Act). Unless continued in existence as provided by
23 that chapter, the board is abolished and this chapter expires
24 September 1, 2029 [~~2025~~].

1 SECTION 1.04. STATE COMMISSION ON JUDICIAL CONDUCT.

2 Section 33.003, Government Code, is amended to read as follows:

3 Sec. 33.003. SUNSET PROVISION. The State Commission on
4 Judicial Conduct is subject to review under Chapter 325 (Texas
5 Sunset Act), but is not abolished under that chapter. The
6 commission shall be reviewed during the period in which state
7 agencies abolished in 2029 [~~2025~~], and every 12th year after that
8 year, are reviewed.

9 SECTION 1.05. JUDICIAL BRANCH CERTIFICATION COMMISSION.

10 Section 152.001, Government Code, is amended to read as follows:

11 Sec. 152.001. SUNSET PROVISION. The Judicial Branch
12 Certification Commission is subject to Chapter 325 (Texas Sunset
13 Act), but is not abolished under that chapter. The commission shall
14 be reviewed during the period in which state agencies abolished in
15 2029 [~~2025~~], and every 12th year after that year, are reviewed.

16 SECTION 1.06. STATE PRESERVATION BOARD. Section 443.002,
17 Government Code, is amended to read as follows:

18 Sec. 443.002. SUNSET PROVISION. The State Preservation
19 Board is subject to Chapter 325 (Texas Sunset Act). Unless
20 continued in existence as provided by that chapter, the board is
21 abolished and this chapter expires September 1, 2029 [~~2025~~].

22 SECTION 1.07. STATE PENSION REVIEW BOARD. Section 801.107,
23 Government Code, is amended to read as follows:

24 Sec. 801.107. SUNSET PROVISION. The State Pension Review
25 Board is subject to Chapter 325 (Texas Sunset Act). Unless
26 continued in existence as provided by that chapter, the board is
27 abolished and this chapter expires September 1, 2029 [~~2025~~].

1 SECTION 1.08. TEXAS PUBLIC FINANCE AUTHORITY. Section
2 [1232.072](#), Government Code, is amended to read as follows:

3 Sec. 1232.072. SUNSET PROVISION. The Texas Public Finance
4 Authority is subject to Chapter 325 (Texas Sunset Act). Unless
5 continued in existence as provided by that chapter, the authority
6 is abolished and this chapter expires September 1, 2029 [~~2027~~].

7 SECTION 1.09. DEPARTMENT OF INFORMATION RESOURCES. Section
8 [2054.005](#), Government Code, is amended to read as follows:

9 Sec. 2054.005. SUNSET PROVISION. [~~(a)~~] The Department of
10 Information Resources is subject to Chapter 325 (Texas Sunset Act).
11 Unless continued in existence as provided by that chapter, the
12 department is abolished and this chapter expires September 1, 2029
13 [~~2025~~].

14 SECTION 1.10. TEXAS FACILITIES COMMISSION. Section
15 [2152.002](#), Government Code, is amended to read as follows:

16 Sec. 2152.002. SUNSET PROVISION. The Texas Facilities
17 Commission is subject to Chapter 325 (Texas Sunset Act). Unless
18 continued in existence as provided by that chapter, the commission
19 is abolished and this subtitle, except for Chapter [2170](#) and Section
20 [2157.121](#), expires September 1, 2029 [~~2027~~].

21 SECTION 1.11. TEXAS STATE AFFORDABLE HOUSING CORPORATION.
22 Section [2306.5521](#), Government Code, is amended to read as follows:

23 Sec. 2306.5521. SUNSET PROVISION. The Texas State
24 Affordable Housing Corporation is subject to Chapter 325 (Texas
25 Sunset Act). Unless continued in existence as provided by that
26 chapter, the corporation is abolished and this subchapter expires
27 September 1, 2029 [~~2027~~].

1 SECTION 1.12. COMMISSION ON STATE EMERGENCY
2 COMMUNICATIONS. Section 771.032, Health and Safety Code, is
3 amended to read as follows:

4 Sec. 771.032. APPLICATION OF SUNSET ACT. The Commission on
5 State Emergency Communications is subject to Chapter 325,
6 Government Code (Texas Sunset Act). Unless continued in existence
7 as provided by that chapter, the commission is abolished and this
8 chapter expires September 1, 2029 [~~2027~~].

9 SECTION 1.13. TEXAS DEPARTMENT OF INSURANCE; DIVISION OF
10 WORKERS' COMPENSATION OF TEXAS DEPARTMENT OF INSURANCE. Section
11 31.004, Insurance Code, is amended to read as follows:

12 Sec. 31.004. SUNSET PROVISION. (a) The Texas Department of
13 Insurance is subject to Chapter 325, Government Code (Texas Sunset
14 Act). Unless continued in existence as provided by that chapter,
15 the department is abolished September 1, 2029 [~~2025~~].

16 (b) Unless continued as provided by Chapter 325, Government
17 Code, the duties of the division of workers' compensation of the
18 Texas Department of Insurance under Title 5, Labor Code, expire
19 September 1, 2029 [~~2025~~], or another date designated by the
20 legislature.

21 SECTION 1.14. OFFICE OF PUBLIC INSURANCE COUNSEL. Section
22 501.003, Insurance Code, is amended to read as follows:

23 Sec. 501.003. SUNSET PROVISION. The office is subject to
24 Chapter 325, Government Code (Texas Sunset Act). Unless continued
25 in existence as provided by that chapter, the office is abolished
26 September 1, 2029 [~~2025~~].

27 SECTION 1.15. OFFICE OF INJURED EMPLOYEE COUNSEL. Section

1 404.003, Labor Code, is amended to read as follows:

2 Sec. 404.003. SUNSET PROVISION. The office of injured
3 employee counsel is subject to Chapter 325, Government Code (Texas
4 Sunset Act). Unless continued in existence as provided by that
5 chapter, the office is abolished and this chapter expires September
6 1, 2029 [~~2025~~].

7 ARTICLE 2. ENTITIES GIVEN 2033 SUNSET DATE

8 SECTION 2.01. PEDIATRIC ACUTE-ONSET NEUROPSYCHIATRIC
9 SYNDROME ADVISORY COUNCIL. Section 119A.009, Health and Safety
10 Code, is amended to read as follows:

11 Sec. 119A.009. SUNSET PROVISION. The Pediatric Acute-Onset
12 Neuropsychiatric Syndrome Advisory Council is subject to Chapter
13 325, Government Code (Texas Sunset Act). Unless continued in
14 existence as provided by that chapter, the advisory council is
15 abolished and this chapter expires September 1, 2033 [~~2031~~].

16 SECTION 2.02. TEXAS MEDICAL BOARD. Section 151.004,
17 Occupations Code, is amended to read as follows:

18 Sec. 151.004. APPLICATION OF SUNSET ACT. The Texas Medical
19 Board is subject to Chapter 325, Government Code (Texas Sunset
20 Act). Unless continued in existence as provided by that chapter,
21 the board is abolished and this subtitle and Chapters 204, 205, 206,
22 601, 602, 603, and 604 expire September 1, 2033 [~~2031~~].

23 SECTION 2.03. TEXAS BOARD OF CHIROPRACTIC EXAMINERS.
24 Section 201.004, Occupations Code, is amended to read as follows:

25 Sec. 201.004. APPLICATION OF SUNSET ACT. The Texas Board of
26 Chiropractic Examiners is subject to Chapter 325, Government Code
27 (Texas Sunset Act). Unless continued in existence as provided by

1 that chapter, the board is abolished and this chapter expires
2 September 1, 2033 [~~2029~~].

3 SECTION 2.04. STATE BOARD OF DENTAL EXAMINERS. Section
4 251.005, Occupations Code, is amended to read as follows:

5 Sec. 251.005. APPLICATION OF SUNSET ACT. The State Board of
6 Dental Examiners is subject to Chapter 325, Government Code (Texas
7 Sunset Act). Unless continued in existence as provided by that
8 chapter, the board is abolished September 1, 2033 [~~2029~~].

9 SECTION 2.05. TEXAS BOARD OF NURSING. Section 301.003,
10 Occupations Code, is amended to read as follows:

11 Sec. 301.003. APPLICATION OF SUNSET ACT. The Texas Board of
12 Nursing is subject to Chapter 325, Government Code (Texas Sunset
13 Act). Unless continued in existence as provided by that chapter,
14 the board is abolished September 1, 2033 [~~2029~~].

15 SECTION 2.06. TEXAS OPTOMETRY BOARD. Section 351.004,
16 Occupations Code, is amended to read as follows:

17 Sec. 351.004. SUNSET PROVISION. The Texas Optometry Board
18 is subject to Chapter 325, Government Code (Texas Sunset Act).
19 Unless continued in existence as provided by that chapter, the
20 board is abolished and this chapter expires September 1, 2033
21 [~~2029~~].

22 SECTION 2.07. EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND
23 OCCUPATIONAL THERAPY EXAMINERS. Section 452.002, Occupations
24 Code, is amended to read as follows:

25 Sec. 452.002. APPLICATION OF SUNSET ACT. The Executive
26 Council of Physical Therapy and Occupational Therapy Examiners is
27 subject to Chapter 325, Government Code (Texas Sunset Act). Unless

1 continued in existence as provided by that chapter, the executive
2 council is abolished and the following laws expire September 1,
3 2033 [~~2029~~]:

- 4 (1) this chapter;
- 5 (2) Chapter 453; and
- 6 (3) Chapter 454.

7 SECTION 2.08. TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS.
8 Section 453.002, Occupations Code, is amended to read as follows:

9 Sec. 453.002. APPLICATION OF SUNSET ACT. The Texas Board of
10 Physical Therapy Examiners is subject to Chapter 325, Government
11 Code (Texas Sunset Act). Unless continued in existence as provided
12 by that chapter, the board is abolished and this chapter expires
13 September 1, 2033 [~~2029~~].

14 SECTION 2.09. TEXAS BOARD OF OCCUPATIONAL THERAPY
15 EXAMINERS. Section 454.003, Occupations Code, is amended to read
16 as follows:

17 Sec. 454.003. APPLICATION OF SUNSET ACT. The Texas Board of
18 Occupational Therapy Examiners is subject to Chapter 325,
19 Government Code (Texas Sunset Act). Unless continued in existence
20 as provided by that chapter, the board is abolished and this chapter
21 expires September 1, 2033 [~~2029~~].

22 SECTION 2.10. TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL.
23 Section 507.002, Occupations Code, is amended to read as follows:

24 Sec. 507.002. APPLICATION OF SUNSET ACT. The Texas
25 Behavioral Health Executive Council is subject to Chapter 325,
26 Government Code (Texas Sunset Act). Unless continued in existence
27 as provided by that chapter, the executive council is abolished and

1 this chapter and Chapters 501, 502, 503, and 505 expire September 1,
2 2033 [~~2029~~].

3 SECTION 2.11. TEXAS STATE BOARD OF PHARMACY. Section
4 551.005, Occupations Code, is amended to read as follows:

5 Sec. 551.005. APPLICATION OF SUNSET ACT. The Texas State
6 Board of Pharmacy is subject to Chapter 325, Government Code (Texas
7 Sunset Act). Unless continued in existence as provided by that
8 chapter, the board is abolished and this subtitle expires September
9 1, 2033 [~~2029~~].

10 SECTION 2.12. TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY.
11 Section 901.006, Occupations Code, is amended to read as follows:

12 Sec. 901.006. APPLICATION OF SUNSET ACT. The Texas State
13 Board of Public Accountancy is subject to Chapter 325, Government
14 Code (Texas Sunset Act). Unless continued in existence as provided
15 by that chapter, the board is abolished and this chapter expires
16 September 1, 2033 [~~2034~~].

17 SECTION 2.13. TEXAS BOARD OF PROFESSIONAL ENGINEERS AND
18 LAND SURVEYORS. Section 1001.005, Occupations Code, is amended to
19 read as follows:

20 Sec. 1001.005. APPLICATION OF SUNSET ACT. The Texas Board
21 of Professional Engineers and Land Surveyors 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 expires September 1, 2033 [~~2025~~].

25 SECTION 2.14. TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS.
26 Section 1002.003, Occupations Code, is amended to read as follows:

27 Sec. 1002.003. APPLICATION OF SUNSET ACT. The Texas Board

1 of Professional Geoscientists is subject to Chapter 325, Government
2 Code (Texas Sunset Act). Unless continued in existence as provided
3 by that chapter, the board is abolished and this chapter expires
4 September 1, 2033 [~~2025~~].

5 SECTION 2.15. TEXAS BOARD OF ARCHITECTURAL EXAMINERS.
6 Section 1051.003, Occupations Code, is amended to read as follows:

7 Sec. 1051.003. APPLICATION OF SUNSET ACT. The Texas Board
8 of Architectural Examiners is subject to Chapter 325, Government
9 Code (Texas Sunset Act). Unless continued in existence as provided
10 by that chapter, the board is abolished and this subtitle expires
11 September 1, 2033 [~~2025~~].

12 SECTION 2.16. TEXAS REAL ESTATE COMMISSION. Section
13 1101.006, Occupations Code, is amended to read as follows:

14 Sec. 1101.006. APPLICATION OF SUNSET ACT. The Texas Real
15 Estate Commission is subject to Chapter 325, Government Code (Texas
16 Sunset Act). Unless continued in existence as provided by that
17 chapter, the commission is abolished and this chapter and Chapter
18 1102 of this code and Chapter 221, Property Code, expire September
19 1, 2033 [~~2031~~].

20 SECTION 2.17. TEXAS APPRAISER LICENSING AND CERTIFICATION
21 BOARD. Section 1103.006, Occupations Code, is amended to read as
22 follows:

23 Sec. 1103.006. APPLICATION OF SUNSET ACT. The Texas
24 Appraiser Licensing and Certification Board is subject to Chapter
25 325, Government Code (Texas Sunset Act). Unless continued in
26 existence as provided by that chapter, the board is abolished and
27 this chapter and Chapter 1104 expire September 1, 2033 [~~2031~~].

SECTION 2.18. TEXAS STATE BOARD OF PLUMBING EXAMINERS.

Section 1301.003, Occupations Code, is amended to read as follows:

Sec. 1301.003. APPLICATION OF SUNSET ACT. The Texas State Board of Plumbing Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2033 [~~2027~~].

ARTICLE 3. ENTITIES GIVEN 2035 SUNSET DATE

SECTION 3.01. DEPARTMENT OF AGRICULTURE. Section 11.003,

Agriculture Code, is amended to read as follows:

Sec. 11.003. SUNSET PROVISION. The Department of Agriculture is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished September 1, 2035 [~~2033~~].

SECTION 3.02. BOARD OF DIRECTORS OF THE OFFICIAL COTTON GROWERS' BOLL WEEVIL ERADICATION FOUNDATION. Section 74.127(a), Agriculture Code, is amended to read as follows:

(a) The board of directors of the official cotton growers' boll weevil eradication foundation 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, 2035 [~~2033~~].

SECTION 3.03. TEXAS ANIMAL HEALTH COMMISSION. Section 161.027, Agriculture Code, is amended to read as follows:

Sec. 161.027. SUNSET PROVISION. The Texas Animal Health Commission is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter,

1 the commission is abolished September 1, 2035 [~~2033~~].

2 SECTION 3.04. PREPAID HIGHER EDUCATION TUITION BOARD.

3 Section [54.603](#), Education Code, is amended to read as follows:

4 Sec. 54.603. SUNSET PROVISION. The Prepaid Higher
5 Education Tuition Board is subject to Chapter [325](#), Government Code
6 (Texas Sunset Act). Unless continued in existence as provided by
7 that chapter, the board is abolished September 1, 2035 [~~2033~~].

8 SECTION 3.05. CREDIT UNION DEPARTMENT. Section [15.212](#),
9 Finance Code, is amended to read as follows:

10 Sec. 15.212. SUNSET PROVISION. The Credit Union Department
11 and the Credit Union Commission are subject to Chapter [325](#),
12 Government Code (Texas Sunset Act). Unless continued in existence
13 as provided by that chapter, the department and commission are
14 abolished September 1, 2035 [~~2033~~].

15 SECTION 3.06. TEXAS COMMISSION ON FIRE PROTECTION. Section
16 [419.003](#), Government Code, is amended to read as follows:

17 Sec. 419.003. SUNSET PROVISION. The Texas Commission on
18 Fire Protection is subject to Chapter 325 (Texas Sunset Act).
19 Unless continued in existence as provided by that chapter, the
20 commission is abolished September 1, 2035 [~~2033~~].

21 SECTION 3.07. COMMISSION ON JAIL STANDARDS. Section
22 [511.003](#), Government Code, is amended to read as follows:

23 Sec. 511.003. SUNSET PROVISION. The Commission on Jail
24 Standards is subject to Chapter 325 (Texas Sunset Act). Unless
25 continued in existence as provided by that chapter, the commission
26 is abolished September 1, 2035 [~~2033~~].

27 SECTION 3.08. TEACHER RETIREMENT SYSTEM OF TEXAS. Section

1 825.006, Government Code, is amended to read as follows:

2 Sec. 825.006. SUNSET PROVISION. The board of trustees of
3 the Teacher Retirement System of Texas is subject to review under
4 Chapter 325 (Texas Sunset Act), but is not abolished under that
5 chapter. The board shall be reviewed during the period in which
6 state agencies abolished in 2035 [~~2033~~], and every 12th year after
7 that year, are reviewed.

8 SECTION 3.09. PARKS AND WILDLIFE DEPARTMENT. Section
9 11.0111, Parks and Wildlife Code, is amended to read as follows:

10 Sec. 11.0111. SUNSET PROVISION. The Parks and Wildlife
11 Department is subject to Chapter 325, Government Code (Texas Sunset
12 Act). Unless continued in existence as provided by that chapter,
13 the department is abolished September 1, 2035 [~~2033~~].

14 SECTION 3.10. BRAZOS RIVER AUTHORITY. Section
15 8502.0021(a), Special District Local Laws Code, is amended to read
16 as follows:

17 (a) The authority is subject to review under Chapter 325,
18 Government Code (Texas Sunset Act), but may not be abolished under
19 that chapter. The review shall be conducted under Section 325.025,
20 Government Code, as if the authority were a state agency scheduled
21 to be abolished September 1, 2035 [~~2033~~], and every 12th year after
22 that year.

23 SECTION 3.11. GULF COAST PROTECTION DISTRICT. Section
24 9502.0105(a), Special District Local Laws Code, is amended to read
25 as follows:

26 (a) The district is subject to review under Chapter 325,
27 Government Code (Texas Sunset Act), but may not be abolished under

1 that chapter. The review shall be conducted under Section 325.025,
2 Government Code, as if the authority were a state agency scheduled
3 to be abolished September 1, 2035 [~~2033~~], and every 12th year after
4 that year.

5 ARTICLE 4. ENTITIES REMOVED FROM SUNSET REVIEW

6 SECTION 4.01. BANDERA COUNTY RIVER AUTHORITY AND
7 GROUNDWATER DISTRICT. Section 1A, Chapter 629, Acts of the 62nd
8 Legislature, Regular Session, 1971, is repealed.

9 ARTICLE 5. EFFECTIVE DATE

10 SECTION 5.01. EFFECTIVE DATE. This Act takes effect
11 immediately if it receives a vote of two-thirds of all the members
12 elected to each house, as provided by Section 39, Article III, Texas
13 Constitution. If this Act does not receive the vote necessary for
14 immediate effect, this Act takes effect September 1, 2023.