

By: Schwertner

S.B. No. 1659

A BILL TO BE ENTITLED

AN ACT

relating to the sunset review process and certain governmental entities subject to that process.

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

ARTICLE 1. ENTITIES GIVEN 2025 SUNSET DATE

SECTION 1.01. TEXAS CIVIL COMMITMENT OFFICE. Section 420A.004, Government Code, is amended to read as follows:

Sec. 420A.004. SUNSET PROVISION. The Texas Civil Commitment Office is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished and this chapter expires September 1, 2025 [~~2027~~].

ARTICLE 2. ENTITIES GIVEN 2029 SUNSET DATE

SECTION 2.01. TEXAS EDUCATION AGENCY. Section 7.004(a), Education Code, is amended to read as follows:

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

SECTION 2.02. EXPANDED LEARNING OPPORTUNITIES COUNCIL.

Section 33.254, Education Code, is amended to read as follows:

Sec. 33.254. SUNSET PROVISION. The council is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the council is abolished

1 and this subchapter expires September 1, 2029 [~~2027~~].

2 SECTION 2.03. TEXAS HIGHER EDUCATION COORDINATING BOARD.

3 Section 61.0211, Education Code, is amended to read as follows:

4 Sec. 61.0211. SUNSET PROVISION. The Texas Higher Education
5 Coordinating 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 and this chapter expires
8 September 1, 2029 [~~2025~~].

9 SECTION 2.04. STATE COMMISSION ON JUDICIAL CONDUCT.

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

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

17 SECTION 2.05. JUDICIAL BRANCH CERTIFICATION COMMISSION.

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

19 Sec. 152.001. SUNSET PROVISION. The Judicial Branch
20 Certification Commission is subject to Chapter 325 (Texas Sunset
21 Act), but is not abolished under that chapter. The commission shall
22 be reviewed during the period in which state agencies abolished in
23 2029 [~~2025~~], and every 12th year after that year, are reviewed.

24 SECTION 2.06. STATE PRESERVATION BOARD. Section 443.002,
25 Government Code, is amended to read as follows:

26 Sec. 443.002. SUNSET PROVISION. The State Preservation
27 Board is subject to Chapter 325 (Texas Sunset Act). Unless

1 continued in existence as provided by that chapter, the board is
2 abolished and this chapter expires September 1, 2029 [~~2025~~].

3 SECTION 2.07. TEXAS LOTTERY COMMISSION. Section 467.002,
4 Government Code, is amended to read as follows:

5 Sec. 467.002. APPLICATION OF SUNSET ACT. The commission is
6 subject to Chapter 325 (Texas Sunset Act). Unless continued in
7 existence as provided by that chapter, the commission is abolished
8 and this chapter, Chapter 466 of this code, and Chapter 2001,
9 Occupations Code, expire September 1, 2029 [~~2025~~].

10 SECTION 2.08. STATE PENSION REVIEW BOARD. Section 801.107,
11 Government Code, is amended to read as follows:

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

16 SECTION 2.09. TEXAS PUBLIC FINANCE AUTHORITY. Section
17 1232.072, Government Code, is amended to read as follows:

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

22 SECTION 2.10. DEPARTMENT OF INFORMATION RESOURCES. Section
23 2054.005, Government Code, is amended to read as follows:

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

1 [2025].

2 SECTION 2.11. TEXAS FACILITIES COMMISSION. Section
3 2152.002, Government Code, is amended to read as follows:

4 Sec. 2152.002. SUNSET PROVISION. The Texas Facilities
5 Commission is subject to Chapter 325 (Texas Sunset Act). Unless
6 continued in existence as provided by that chapter, the commission
7 is abolished and this subtitle, except for Chapter 2170 and Section
8 2157.121, expires September 1, 2029 [~~2027~~].

9 SECTION 2.12. TEXAS STATE AFFORDABLE HOUSING CORPORATION.
10 Section 2306.5521, Government Code, is amended to read as follows:

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

16 SECTION 2.13. COMMISSION ON STATE EMERGENCY
17 COMMUNICATIONS. Section 771.032, Health and Safety Code, is
18 amended to read as follows:

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

24 ARTICLE 3. ENTITIES GIVEN 2033 SUNSET DATE

25 SECTION 3.01. PEDIATRIC ACUTE-ONSET NEUROPSYCHIATRIC
26 SYNDROME ADVISORY COUNCIL. Section 119A.009, Health and Safety
27 Code, is amended to read as follows:

1 Sec. 119A.009. SUNSET PROVISION. The Pediatric Acute-Onset
2 Neuropsychiatric Syndrome Advisory Council is subject to Chapter
3 325, Government Code (Texas Sunset Act). Unless continued in
4 existence as provided by that chapter, the advisory council is
5 abolished and this chapter expires September 1, 2033 [~~2031~~].

6 SECTION 3.02. TEXAS MEDICAL BOARD. Section 151.004,
7 Occupations Code, is amended to read as follows:

8 Sec. 151.004. APPLICATION OF SUNSET ACT. The Texas Medical
9 Board is subject to Chapter 325, Government Code (Texas Sunset
10 Act). Unless continued in existence as provided by that chapter,
11 the board is abolished and this subtitle and Chapters 204, 205, 206,
12 601, 602, 603, and 604 expire September 1, 2033 [~~2031~~].

13 SECTION 3.03. TEXAS BOARD OF CHIROPRACTIC EXAMINERS.
14 Section 201.004, Occupations Code, is amended to read as follows:

15 Sec. 201.004. APPLICATION OF SUNSET ACT. The Texas Board of
16 Chiropractic Examiners is subject to Chapter 325, Government Code
17 (Texas Sunset Act). Unless continued in existence as provided by
18 that chapter, the board is abolished and this chapter expires
19 September 1, 2033 [~~2029~~].

20 SECTION 3.04. STATE BOARD OF DENTAL EXAMINERS. Section
21 251.005, Occupations Code, is amended to read as follows:

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

26 SECTION 3.05. TEXAS BOARD OF NURSING. Section 301.003,
27 Occupations Code, is amended to read as follows:

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

5 SECTION 3.06. TEXAS OPTOMETRY BOARD. Section 351.004,
6 Occupations Code, is amended to read as follows:

7 Sec. 351.004. SUNSET PROVISION. The Texas Optometry Board
8 is subject to Chapter 325, Government Code (Texas Sunset Act).
9 Unless continued in existence as provided by that chapter, the
10 board is abolished and this chapter expires September 1, 2033
11 [~~2029~~].

12 SECTION 3.07. EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND
13 OCCUPATIONAL THERAPY EXAMINERS. Section 452.002, Occupations
14 Code, is amended to read as follows:

15 Sec. 452.002. APPLICATION OF SUNSET ACT. The Executive
16 Council of Physical Therapy and Occupational Therapy Examiners is
17 subject to Chapter 325, Government Code (Texas Sunset Act). Unless
18 continued in existence as provided by that chapter, the executive
19 council is abolished and the following laws expire September 1,
20 2033 [~~2029~~]:

- 21 (1) this chapter;
- 22 (2) Chapter 453; and
- 23 (3) Chapter 454.

24 SECTION 3.08. TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS.
25 Section 453.002, Occupations Code, is amended to read as follows:

26 Sec. 453.002. APPLICATION OF SUNSET ACT. The Texas Board of
27 Physical Therapy 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, 2033 [~~2029~~].

4 SECTION 3.09. TEXAS BOARD OF OCCUPATIONAL THERAPY
5 EXAMINERS. Section 454.003, Occupations Code, is amended to read
6 as follows:

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

12 SECTION 3.10. TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL.
13 Section 507.002, Occupations Code, is amended to read as follows:

14 Sec. 507.002. APPLICATION OF SUNSET ACT. The Texas
15 Behavioral Health Executive Council is subject to Chapter 325,
16 Government Code (Texas Sunset Act). Unless continued in existence
17 as provided by that chapter, the executive council is abolished and
18 this chapter and Chapters 501, 502, 503, and 505 expire September 1,
19 2033 [~~2029~~].

20 SECTION 3.11. TEXAS STATE BOARD OF PHARMACY. Section
21 551.005, Occupations Code, is amended to read as follows:

22 Sec. 551.005. APPLICATION OF SUNSET ACT. The Texas State
23 Board of Pharmacy is subject to Chapter 325, Government Code (Texas
24 Sunset Act). Unless continued in existence as provided by that
25 chapter, the board is abolished and this subtitle expires September
26 1, 2033 [~~2029~~].

27 SECTION 3.12. TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY.

1 Section 901.006, Occupations Code, is amended to read as follows:

2 Sec. 901.006. APPLICATION OF SUNSET ACT. The Texas State
3 Board of Public Accountancy is subject to Chapter 325, Government
4 Code (Texas Sunset Act). Unless continued in existence as provided
5 by that chapter, the board is abolished and this chapter expires
6 September 1, 2033 [~~2031~~].

7 SECTION 3.13. TEXAS BOARD OF PROFESSIONAL ENGINEERS AND
8 LAND SURVEYORS. Section 1001.005, Occupations Code, is amended to
9 read as follows:

10 Sec. 1001.005. APPLICATION OF SUNSET ACT. The Texas Board
11 of Professional Engineers and Land Surveyors is subject to Chapter
12 325, Government Code (Texas Sunset Act). Unless continued in
13 existence as provided by that chapter, the board is abolished and
14 this chapter expires September 1, 2033 [~~2025~~].

15 SECTION 3.14. TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS.
16 Section 1002.003, Occupations Code, is amended to read as follows:

17 Sec. 1002.003. APPLICATION OF SUNSET ACT. The Texas Board
18 of Professional Geoscientists is subject to Chapter 325, Government
19 Code (Texas Sunset Act). Unless continued in existence as provided
20 by that chapter, the board is abolished and this chapter expires
21 September 1, 2033 [~~2025~~].

22 SECTION 3.15. TEXAS BOARD OF ARCHITECTURAL EXAMINERS.
23 Section 1051.003, Occupations Code, is amended to read as follows:

24 Sec. 1051.003. APPLICATION OF SUNSET ACT. The Texas Board
25 of Architectural Examiners is subject to Chapter 325, Government
26 Code (Texas Sunset Act). Unless continued in existence as provided
27 by that chapter, the board is abolished and this subtitle expires

1 September 1, 2033 [~~2025~~].

2 SECTION 3.16. TEXAS REAL ESTATE COMMISSION. Section
3 1101.006, Occupations Code, is amended to read as follows:

4 Sec. 1101.006. APPLICATION OF SUNSET ACT. The Texas Real
5 Estate Commission is subject to Chapter 325, Government Code (Texas
6 Sunset Act). Unless continued in existence as provided by that
7 chapter, the commission is abolished and this chapter and Chapter
8 1102 of this code and Chapter 221, Property Code, expire September
9 1, 2033 [~~2031~~].

10 SECTION 3.17. TEXAS APPRAISER LICENSING AND CERTIFICATION
11 BOARD. Section 1103.006, Occupations Code, is amended to read as
12 follows:

13 Sec. 1103.006. APPLICATION OF SUNSET ACT. The Texas
14 Appraiser Licensing and Certification Board is subject to Chapter
15 325, Government Code (Texas Sunset Act). Unless continued in
16 existence as provided by that chapter, the board is abolished and
17 this chapter and Chapter 1104 expire September 1, 2033 [~~2031~~].

18 SECTION 3.18. TEXAS STATE BOARD OF PLUMBING EXAMINERS.
19 Section 1301.003, Occupations Code, is amended to read as follows:

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

25 ARTICLE 4. ENTITIES GIVEN 2035 SUNSET DATE

26 SECTION 4.01. DEPARTMENT OF AGRICULTURE. Section 11.003,
27 Agriculture Code, is amended to read as follows:

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

5 SECTION 4.02. BOARD OF DIRECTORS OF THE OFFICIAL COTTON
6 GROWERS' BOLL WEEVIL ERADICATION FOUNDATION. Section 74.127(a),
7 Agriculture Code, is amended to read as follows:

8 (a) The board of directors of the official cotton growers'
9 boll weevil eradication foundation is subject to Chapter 325,
10 Government Code (Texas Sunset Act). Unless continued in existence
11 as provided by that chapter, the board is abolished September 1,
12 2035 [~~2033~~].

13 SECTION 4.03. TEXAS ANIMAL HEALTH COMMISSION. Section
14 161.027, Agriculture Code, is amended to read as follows:

15 Sec. 161.027. SUNSET PROVISION. The Texas Animal Health
16 Commission is subject to Chapter 325, Government Code (Texas Sunset
17 Act). Unless continued in existence as provided by that chapter,
18 the commission is abolished September 1, 2035 [~~2033~~].

19 SECTION 4.04. PREPAID HIGHER EDUCATION TUITION BOARD.
20 Section 54.603, Education Code, is amended to read as follows:

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

25 SECTION 4.05. CREDIT UNION DEPARTMENT. Section 15.212,
26 Finance Code, is amended to read as follows:

27 Sec. 15.212. SUNSET PROVISION. The Credit Union Department

1 and the Credit Union Commission are subject to Chapter 325,
2 Government Code (Texas Sunset Act). Unless continued in existence
3 as provided by that chapter, the department and commission are
4 abolished September 1, 2035 [~~2033~~].

5 SECTION 4.06. TEXAS COMMISSION ON FIRE PROTECTION. Section
6 419.003, Government Code, is amended to read as follows:

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

11 SECTION 4.07. COMMISSION ON JAIL STANDARDS. Section
12 511.003, Government Code, is amended to read as follows:

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

17 SECTION 4.08. TEACHER RETIREMENT SYSTEM OF TEXAS. Section
18 825.006, Government Code, is amended to read as follows:

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

25 SECTION 4.09. PARKS AND WILDLIFE DEPARTMENT. Section
26 11.0111, Parks and Wildlife Code, is amended to read as follows:

27 Sec. 11.0111. SUNSET PROVISION. The Parks and Wildlife

1 Department is subject to Chapter 325, Government Code (Texas Sunset
2 Act). Unless continued in existence as provided by that chapter,
3 the department is abolished September 1, 2035 [~~2033~~].

4 SECTION 4.10. BRAZOS RIVER AUTHORITY. Section
5 8502.0021(a), Special District Local Laws Code, is amended to read
6 as follows:

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

13 SECTION 4.11. GULF COAST PROTECTION DISTRICT. Section
14 9502.0105(a), Special District Local Laws Code, is amended to read
15 as follows:

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

22 ARTICLE 5. ENTITIES REMOVED FROM SUNSET REVIEW

23 SECTION 5.01. BANDERA COUNTY RIVER AUTHORITY AND
24 GROUNDWATER DISTRICT. Section 1A, Chapter 629, Acts of the 62nd
25 Legislature, Regular Session, 1971, is repealed.

26 ARTICLE 6. AMENDMENTS TO THE TEXAS SUNSET ACT

27 SECTION 6.01. SUNSET ADVISORY COMMISSION. Section

1 325.003(a-1), Government Code, is amended to read as follows:

2 (a-1) A public member acts on behalf of the legislature when
3 participating on the commission in furtherance of the legislature's
4 duty to provide oversight of state [~~executive branch~~] agencies'
5 implementation of legislative priorities.

6 SECTION 6.02. SUNSET ADVISORY COMMISSION REVIEW OF STATE
7 AGENCIES NOT SUBJECT TO ABOLISHMENT. Chapter 325, Government Code,
8 is amended by adding Section 325.006 to read as follows:

9 Sec. 325.006. REVIEW OF AGENCIES NOT SUBJECT TO
10 ABOLISHMENT. The provisions of this chapter relating to the review
11 of a state agency by the commission apply to the review of a state
12 agency that is not subject to abolishment in the same manner as the
13 provisions apply to a state agency that is subject to abolishment.

14 ARTICLE 7. EFFECTIVE DATE

15 SECTION 7.01. EFFECTIVE DATE. This Act takes effect
16 immediately if it receives a vote of two-thirds of all the members
17 elected to each house, as provided by Section 39, Article III, Texas
18 Constitution. If this Act does not receive the vote necessary for
19 immediate effect, this Act takes effect September 1, 2023.