

By: Bell of Kaufman

H.B. No. 1545

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 2031 SUNSET DATE

SECTION 1.01. CREDIT UNION DEPARTMENT. Section 15.212, Finance Code, is amended to read as follows:

Sec. 15.212. SUNSET PROVISION. The Credit Union Department and the Credit Union Commission are subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department and commission are abolished September 1, 2031 [~~2035~~].

SECTION 1.02. STATE OFFICE OF ADMINISTRATIVE HEARINGS. Section 2003.023, Government Code, is amended to read as follows:

Sec. 2003.023. SUNSET PROVISION. The State Office of Administrative Hearings is subject to review under Chapter 325 (Texas Sunset Act), but is not abolished under that chapter. The office shall be reviewed during the periods in which state agencies abolished in 2031 [~~2027~~] and every 12th year after 2031 [~~2027~~] are reviewed.

SECTION 1.03. TEXAS JUVENILE JUSTICE DEPARTMENT. (a) Section 202.010, Human Resources Code, is amended to read as follows:

Sec. 202.010. SUNSET PROVISION. The Texas Juvenile Justice

1 Board and the Texas Juvenile Justice Department are subject to
2 Chapter 325, Government Code (Texas Sunset Act). Unless continued
3 in existence as provided by that chapter, the board and the
4 department are abolished September 1, 2031 [~~2027~~].

5 (b) Notwithstanding Section 202.010, Human Resources Code,
6 as amended by this Act, the Sunset Advisory Commission shall
7 conduct a limited-scope review of the Texas Juvenile Justice
8 Department for the 90th Legislature.

9 (c) In conducting the limited-scope review under this
10 section, the Sunset Advisory Commission staff evaluation and report
11 must be limited to assessing the Texas Juvenile Justice
12 Department's administration of its regionalization duties aimed at
13 prioritizing the use of local levels of the juvenile justice system
14 over placement or commitment to secure facilities operated by the
15 Texas Juvenile Justice Department.

16 (d) The Sunset Advisory Commission may not review the office
17 of independent ombudsman of the Texas Juvenile Justice Department
18 as part of the limited-scope review conducted under this section.

19 (e) The Sunset Advisory Commission's recommendations to the
20 90th Legislature may include any recommendation the commission
21 considers appropriate based on the limited-scope review conducted
22 under this section.

23 (f) The Texas Juvenile Justice Department shall submit a
24 report not later than September 1, 2026, to the Sunset Advisory
25 Commission, the speaker of the house of representatives, the
26 lieutenant governor, and the standing committees of each house of
27 the legislature with primary jurisdiction over juvenile justice

that includes information about:

(1) the status of the United States Department of Justice's investigation into the Texas Juvenile Justice Department and the Texas Juvenile Justice Department's progress in addressing findings as detailed in the United States Department of Justice's report titled "Investigation of the Texas Juvenile Justice Department," published on August 1, 2024;

(2) the waitlist of youth committed to the Texas Juvenile Justice Department awaiting transfer to state secure facilities from county facilities;

(3) the Texas Juvenile Justice Department's staffing and turnover at state facilities for each fiscal year since fiscal year 2016; and

(4) the progress on construction of additional state juvenile correctional facilities for which the legislature appropriated funding in the 2024-2025 biennium.

ARTICLE 2. ENTITIES GIVEN 2033 SUNSET DATE

SECTION 2.01. STATE BOARD OF VETERINARY MEDICAL EXAMINERS.

Section 801.003, Occupations Code, is amended to read as follows:

Sec. 801.003. APPLICATION OF SUNSET ACT. The State Board of Veterinary Medical Examiners 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, 2033 [~~2027~~].

ARTICLE 3. ENTITIES GIVEN 2035 SUNSET DATE

SECTION 3.01. STATE SOIL AND WATER CONSERVATION BOARD.

Section 12, Chapter 358 (S.B. 1424), Acts of the 88th Legislature, Regular Session, 2023, is repealed.

ARTICLE 4. AMENDMENTS TO THE TEXAS SUNSET ACT

SECTION 4.01. SUNSET ADVISORY COMMISSION. Section 325.003(a-1), Government Code, is amended to read as follows:

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

SECTION 4.02. AGENCY REPORT TO COMMISSION. Section 325.007(a), Government Code, is amended to read as follows:

(a) Before September 1 of the odd-numbered year before the year in which a state agency subject to this chapter is abolished or reviewed, the agency shall report to the commission:

(1) information regarding the application to the agency of the criteria in Section 325.011; and

(2) any other information that the agency considers appropriate or that is requested by the commission.

SECTION 4.03. REPORTING REQUIREMENTS OF AGENCY BEING REVIEWED. Section 325.0075, Government Code, is amended to read as follows:

Sec. 325.0075. REPORTING REQUIREMENTS OF AGENCY BEING REVIEWED. Before September 1 of the odd-numbered year before the year in which a state agency subject to this chapter is abolished or reviewed, the agency shall submit to the commission, the governor, the lieutenant governor, and each member of the legislature a report that:

(1) lists each report that the agency is required by a statute to prepare; and

1 (2) evaluates the need for each report listed in
2 Subdivision (1) based on whether factors or conditions have changed
3 since the date the statutory requirement to prepare the report was
4 enacted.

5 SECTION 4.04. COMMISSION DUTIES. Section 325.008(a),
6 Government Code, is amended to read as follows:

7 (a) Before January 1 of the year in which a state agency
8 subject to this chapter and its advisory committees are abolished
9 or reviewed, the commission shall:

10 (1) review and take action necessary to verify the
11 reports submitted by the agency under Section 325.007;

12 (2) consult the Legislative Budget Board, the
13 Governor's Budget, Policy, and Planning Division, the State
14 Auditor, and the comptroller of public accounts, or their
15 successors, on the application to the agency of the criteria
16 provided in Section 325.011;

17 (3) conduct a review of the agency based on the
18 criteria provided in Section 325.011 and prepare a written report;
19 and

20 (4) review the implementation of commission
21 recommendations contained in the reports presented to the
22 legislature during the preceding legislative session and the
23 resulting legislation.

24 SECTION 4.05. PUBLIC HEARINGS. Section 325.009(a),
25 Government Code, is amended to read as follows:

26 (a) Before February 1 of the year a state agency subject to
27 this chapter and its advisory committees are abolished or reviewed,

1 the commission shall conduct public hearings concerning but not
2 limited to the application to the agency of the criteria provided in
3 Section 325.011.

4 SECTION 4.06. REVIEW OF CERTAIN AGENCIES. Sections
5 325.0125(a) and (b), Government Code, are amended to read as
6 follows:

7 (a) In the two-year period preceding the date scheduled for
8 the abolition or review of a state agency under this chapter, the
9 commission may exempt certain agencies from the requirements of
10 this chapter relating to staff reports, hearings, and reviews.

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

16 ARTICLE 5. EFFECTIVE DATE

17 SECTION 5.01. EFFECTIVE DATE. This Act takes effect
18 immediately if it receives a vote of two-thirds of all the members
19 elected to each house, as provided by Section 39, Article III, Texas
20 Constitution. If this Act does not receive the vote necessary for
21 immediate effect, this Act takes effect September 1, 2025.