

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 29, 2015

Date

Honorable Dan Patrick
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on House Bill 3123 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Jane Nelson
Senator Jane Nelson, Chair

Brian Birdwell
Senator Brian Birdwell

Donna Campbell
Senator Donna Campbell

Juan Hinojosa
Senator Juan Hinojosa

Charles Schwertner
On the part of the Senate
Senator Charles Schwertner

Four Price
Representative Four Price, Chair

Cindy Burkett
Representative Cindy Burkett

Harold Dutton, Jr.
Representative Harold Dutton, Jr.

Larry Gonzales
Representative Larry Gonzales

Richard Peña Raymond
On the part of the House
Representative Richard Peña Raymond

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 3123

A BILL TO BE ENTITLED

AN ACT

relating to governmental entities subject to the sunset review process.

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

ARTICLE 1. ENTITIES GIVEN 2017 SUNSET DATE

SECTION 1.01. TEXAS DEPARTMENT OF TRANSPORTATION. Section 201.204, Transportation Code, is amended to read as follows:

Sec. 201.204. SUNSET PROVISION. (a) The Texas Department of Transportation 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, 2017.

(b) The Sunset Advisory Commission shall limit its review of the Texas Department of Transportation in preparation for the work of the 85th Legislature in Regular Session to the department's project planning, selection, programming, and funding processes and its interactions with local transportation entities. In the commission's report to the 85th Legislature, the commission may include any recommendations it considers appropriate. This subsection expires September 1, 2017.

SECTION 1.02. NORTH TEXAS TOLLWAY AUTHORITY. Subchapter A, Chapter 366, Transportation Code, is amended by adding Section 366.005 to read as follows:

Sec. 366.005. SUNSET PROVISION. (a) An authority is subject to review under Chapter 325, Government Code (Texas Sunset

1 Act), as if it were a state agency but is not abolished under that
2 chapter.

3 (b) An authority shall be reviewed during the period in
4 which state agencies scheduled to be reviewed or abolished in 2017
5 are reviewed.

6 (c) An authority shall pay the cost incurred by the Sunset
7 Advisory Commission in performing a review of the authority under
8 this section. The Sunset Advisory Commission shall determine the
9 cost, and the authority shall pay the amount promptly on receipt of
10 a statement from the Sunset Advisory Commission detailing the cost.

11 (d) This section expires September 1, 2017.

12 ARTICLE 2. ENTITIES GIVEN 2019 SUNSET DATE

13 SECTION 2.01. EMPLOYEES RETIREMENT SYSTEM OF TEXAS.

14 Section 815.005, Government Code, is amended to read as follows:

15 Sec. 815.005. SUNSET PROVISION. The board of trustees of
16 the Employees Retirement System of Texas is subject to review under
17 Chapter 325 (Texas Sunset Act), but is not abolished under that
18 chapter. The board shall be reviewed during the period in which
19 state agencies abolished in 2019 [~~2017~~], and every 12th year after
20 that year, are reviewed.

21 ARTICLE 3. ENTITIES GIVEN 2021 SUNSET DATE

22 SECTION 3.01. TEXAS FACILITIES COMMISSION. Section

23 2152.002, Government Code, is amended to read as follows:

24 Sec. 2152.002. SUNSET PROVISION. The Texas Facilities
25 Commission is subject to Chapter 325 (Texas Sunset Act). Unless
26 continued in existence as provided by that chapter, the commission
27 is abolished and this subtitle, except for Chapter 2170 and Section

1 2157.121, expires September 1, 2021 [~~2015~~].

2 SECTION 3.02. TEXAS JUVENILE JUSTICE BOARD AND TEXAS
3 JUVENILE JUSTICE DEPARTMENT. Section 202.010, Human Resources
4 Code, is amended to read as follows:

5 Sec. 202.010. SUNSET PROVISION. The Texas Juvenile Justice
6 Board and the Texas Juvenile Justice Department are subject to
7 Chapter 325, Government Code (Texas Sunset Act). Unless continued
8 in existence as provided by that chapter, the board and the
9 department are abolished September 1, 2021 [~~2017~~].

10 SECTION 3.03. INTERMUNICIPAL COMMUTER RAIL DISTRICTS.
11 Section 173.005, Transportation Code, is amended to read as
12 follows:

13 Sec. 173.005. SUNSET PROVISION. A district is subject
14 [~~every 12th year~~] to review under Chapter 325, Government Code
15 (Texas Sunset Act). A district shall be reviewed during the periods
16 in which state agencies abolished in 2021 and every 12th year after
17 that year are reviewed.

18 ARTICLE 4. ENTITIES GIVEN 2023 SUNSET DATE

19 SECTION 4.01. EXPANDED LEARNING OPPORTUNITIES COUNCIL.
20 Section 33.254, Education Code, is amended to read as follows:

21 Sec. 33.254. SUNSET PROVISION. The council is subject to
22 Chapter 325, Government Code (Texas Sunset Act). Unless continued
23 in existence as provided by that chapter, the council is abolished
24 and this subchapter expires September 1, 2023 [~~2017~~].

25 SECTION 4.02. STATE COMMISSION ON JUDICIAL CONDUCT.
26 Section 33.003, Government Code, is amended to read as follows:

27 Sec. 33.003. SUNSET PROVISION. The State Commission on

1 Judicial Conduct is subject to review under Chapter 325 (Texas
2 Sunset Act), but is not abolished under that chapter. The
3 commission shall be reviewed during the period in which state
4 agencies abolished in 2023 [~~2019~~] and every 12th year after 2023
5 [~~2019~~] are reviewed.

6 SECTION 4.03. JUDICIAL BRANCH CERTIFICATION COMMISSION.
7 Section 152.001, Government Code, is amended to read as follows:

8 Sec. 152.001. SUNSET PROVISION. The Judicial Branch
9 Certification Commission is subject to Chapter 325 (Texas Sunset
10 Act), but is not abolished under that chapter. The commission shall
11 be reviewed during the period in which state agencies abolished in
12 2023 [~~2019~~] and every 12th year after 2023 [~~2019~~] are reviewed.

13 SECTION 4.04. TEXAS MILITARY DEPARTMENT. Section 437.051,
14 Government Code, is amended to read as follows:

15 Sec. 437.051. SUNSET PROVISION. The department is subject
16 to Chapter 325 (Texas Sunset Act). Unless continued in existence as
17 provided by that chapter, the department is abolished and this
18 subchapter expires September 1, 2023 [~~2019~~].

19 SECTION 4.05. CANCER PREVENTION AND RESEARCH INSTITUTE OF
20 TEXAS. Section 102.003, Health and Safety Code, is amended to read
21 as follows:

22 Sec. 102.003. SUNSET PROVISION. The Cancer Prevention and
23 Research Institute of Texas is subject to Chapter 325, Government
24 Code (Texas Sunset Act). Unless continued in existence as provided
25 by that chapter, the institute is abolished and this chapter
26 expires September 1, 2023 [~~2021~~].

27 SECTION 4.06. RAILROAD COMMISSION OF TEXAS. Sections

1 81.01001(a) and (a-1), Natural Resources Code, are amended to read
2 as follows:

3 (a) The Railroad Commission of Texas is subject to Chapter
4 325, Government Code (Texas Sunset Act). Unless continued in
5 existence as provided by that chapter, the commission is abolished
6 September 1, 2023 [~~2017~~].

7 (a-1) The review of the Railroad Commission of Texas by the
8 Sunset Advisory Commission in preparation for the work of the 88th
9 [~~85th~~] Legislature in Regular Session is not limited to the
10 appropriateness of recommendations made by the Sunset Advisory
11 Commission to the 83rd Legislature. In the Sunset Advisory
12 Commission's report to the 88th [~~85th~~] Legislature, the Sunset
13 Advisory Commission may include any recommendations it considers
14 appropriate. The review must include an examination of alternative
15 organizational structures for the Railroad Commission of Texas and
16 alternative methods for performing the commission's
17 responsibilities that would enable the efficient and effective
18 accomplishment of the commission's functions. The examination must
19 include an assessment of existing state agencies that would be able
20 to perform the commission's functions. The review must also
21 include an examination of methods to increase the public's role in
22 decisions of the Railroad Commission of Texas that relate to the
23 effect of the growth of resource extraction. The Sunset Advisory
24 Commission may contract for assistance in performing the review,
25 including assistance in evaluating, auditing, and forensic
26 auditing, as the Sunset Advisory Commission determines necessary.
27 This subsection expires September 1, 2023 [~~2017~~].

1 SECTION 4.07. TEXAS RACING COMMISSION. Section 18.01(a),
2 Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes), is
3 amended to read as follows:

4 (a) The Texas Racing Commission is subject to Chapter 325,
5 Government Code (Texas Sunset Act). Unless continued in existence
6 as provided by that chapter, and except as provided by Subsections
7 (b) and (c) of this section, the commission is abolished and this
8 Act expires September 1, 2023 [~~2017~~].

9 ARTICLE 5. ENTITIES GIVEN 2025 SUNSET DATE

10 SECTION 5.01. TEXAS EDUCATION AGENCY. Section 7.004,
11 Education Code, is amended to read as follows:

12 Sec. 7.004. SUNSET PROVISION. The Texas Education Agency
13 is subject to Chapter 325, Government Code (Texas Sunset Act).
14 Unless continued in existence as provided by that chapter, the
15 agency is abolished September 1, 2025 [~~2015~~].

16 SECTION 5.02. STATE EMPLOYEE CHARITABLE CAMPAIGN POLICY
17 COMMITTEE. Section 659.140(i), Government Code, is amended to read
18 as follows:

19 (i) The state employee charitable campaign policy committee
20 is subject to the Texas Sunset Act. Unless continued in existence
21 as provided by that chapter, the committee is abolished and
22 Government Code, Chapter 659, Subchapter I, and Sections 814.0095
23 and 814.0096 expire on September 1, 2025 [~~2017~~].

24 ARTICLE 6. ENTITIES REMOVED FROM SPECIFIC SUNSET REVIEW

25 SECTION 6.01. PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY,
26 TEXAS. Section 5007.203, Special District Local Laws Code, is
27 repealed.

1 SECTION 6.02. CAPITAL METROPOLITAN TRANSPORTATION
2 AUTHORITY. Section 451.459, Transportation Code, is repealed.

3 ARTICLE 7. EFFECTIVE DATE

4 SECTION 7.01. EFFECTIVE DATE. This Act takes effect
5 immediately if it receives a vote of two-thirds of all the members
6 elected to each house, as provided by Section 39, Article III, Texas
7 Constitution. If this Act does not receive the vote necessary for
8 immediate effect, this Act takes effect September 1, 2015.

House Bill 3123
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

No equivalent provision.

No equivalent provision.

ARTICLE 1. ENTITIES GIVEN 2017 SUNSET DATE
[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]

No equivalent provision.

No equivalent provision.

SECTION 1.01. TEXAS DEPARTMENT OF TRANSPORTATION. Section 201.204, Transportation Code, is amended to read as follows:
Sec. 201.204. SUNSET PROVISION. (a) The Texas Department of Transportation 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, 2017.
(b) The Sunset Advisory Commission shall limit its review of the Texas Department of Transportation in preparation for the work of the 85th Legislature in Regular Session to the department's project planning, selection, programming, and funding processes and its interactions with local transportation entities. In the commission's report to the 85th Legislature, the commission may include any recommendations it considers appropriate. This subsection expires September 1, 2017. [The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]

No equivalent provision.

No equivalent provision.

SECTION 1.02. NORTH TEXAS TOLLWAY AUTHORITY. Subchapter A, Chapter 366, Transportation Code, is amended by adding Section 366.005 to read as follows:
Sec. 366.005. SUNSET PROVISION. (a) An authority is subject to review under Chapter 325, Government Code (Texas Sunset Act), as if it were a state agency but is not abolished under that chapter.

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(b) An authority shall be reviewed during the period in which state agencies scheduled to be reviewed or abolished in 2017 are reviewed.

(c) An authority shall pay the cost incurred by the Sunset Advisory Commission in performing a review of the authority under this section. The Sunset Advisory Commission shall determine the cost, and the authority shall pay the amount promptly on receipt of a statement from the Sunset Advisory Commission detailing the cost.

(d) This section expires September 1, 2017. [The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]

No equivalent provision.

No equivalent provision.

ARTICLE 2. ENTITIES GIVEN 2019 SUNSET DATE
[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]

No equivalent provision.

No equivalent provision.

SECTION 2.01. EMPLOYEES RETIREMENT SYSTEM OF TEXAS. Section 815.005, Government Code, is amended to read as follows:

Sec. 815.005. SUNSET PROVISION. The board of trustees of the Employees Retirement System of Texas is subject to review under Chapter 325 (Texas Sunset Act), but is not abolished under that chapter. The board shall be reviewed during the period in which state agencies abolished in 2019 [2017], and every 12th year after that year, are reviewed. *[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]*

ARTICLE 1. ENTITIES GIVEN 2021 SUNSET DATE

ARTICLE 1. Same as House version.

ARTICLE 3. Same as House version.

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SECTION 1.01. TEXAS FACILITIES COMMISSION.
Section 2152.002, Government Code, is amended to read as follows:

Sec. 2152.002. SUNSET PROVISION. The Texas Facilities Commission is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this subtitle, except for Chapter 2170 and Section 2157.121, expires September 1, 2021 [2015].

SECTION 1.02. TEXAS JUVENILE JUSTICE BOARD AND TEXAS JUVENILE JUSTICE DEPARTMENT.
Section 202.010, Human Resources Code, is amended to read as follows:

Sec. 202.010. SUNSET PROVISION. The Texas Juvenile Justice Board and the Texas Juvenile Justice Department are subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board and the department are abolished September 1, 2021 [2017].

SECTION 1.03. INTERMUNICIPAL COMMUTER RAIL DISTRICTS. Section 173.005, Transportation Code, is amended to read as follows:

Sec. 173.005. SUNSET PROVISION. A district is subject [~~every 12th year~~] to review under Chapter 325, Government Code (Texas Sunset Act). A district shall be reviewed during the periods in which state agencies abolished in 2021 and every 12th year after that year are reviewed.

No equivalent provision.

SENATE VERSION

SECTION 1.01. Same as House version.

SECTION 1.02. Same as House version.

SECTION 1.03. Same as House version.

ARTICLE 2. ENTITIES GIVEN 2023 SUNSET DATE

CONFERENCE

SECTION 3.01. Same as House version.

SECTION 3.02. Same as House version.

SECTION 3.03. Same as House version.

ARTICLE 4. Same as Senate version.

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HOUSE VERSION

SENATE VERSION

CONFERENCE

No equivalent provision.

SECTION 2.01. 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 and this subchapter expires September 1, 2023 [~~2017~~].

SECTION 4.01. Same as Senate version.

No equivalent provision.

SECTION 2.02. STATE COMMISSION ON JUDICIAL CONDUCT. Section 33.003, Government Code, is amended to read as follows:
Sec. 33.003. SUNSET PROVISION. The State Commission on Judicial Conduct is subject to review under Chapter 325 (Texas Sunset Act), but is not abolished under that chapter. The commission shall be reviewed during the period in which state agencies abolished in 2023 [~~2019~~] and every 12th year after 2023 [~~2019~~] are reviewed.

SECTION 4.02. Same as Senate version.

No equivalent provision.

SECTION 2.03. JUDICIAL BRANCH CERTIFICATION COMMISSION. Section 152.001, Government Code, is amended to read as follows:
Sec. 152.001. SUNSET PROVISION. The Judicial Branch Certification Commission is subject to Chapter 325 (Texas Sunset Act), but is not abolished under that chapter. The commission shall be reviewed during the period in which state agencies abolished in 2023 [~~2019~~] and every 12th year after 2023 [~~2019~~] are reviewed.

SECTION 4.03. Same as Senate version.

No equivalent provision.

No equivalent provision.

SECTION 4.04. TEXAS MILITARY DEPARTMENT. Section 437.051, Government Code, is amended to read as

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HOUSE VERSION

SENATE VERSION

CONFERENCE

No equivalent provision.

No equivalent provision.

No equivalent provision.

No equivalent provision.

follows:

Sec. 437.051. SUNSET PROVISION. The department is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished and this subchapter expires September 1, 2023 [~~2019~~]. [*The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.*]

SECTION 4.05. CANCER PREVENTION AND RESEARCH INSTITUTE OF TEXAS. Section 102.003, Health and Safety Code, is amended to read as follows:

Sec. 102.003. SUNSET PROVISION. The Cancer Prevention and Research Institute of Texas is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the institute is abolished and this chapter expires September 1, 2023 [~~2021~~]. [*The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.*]

SECTION 4.06. RAILROAD COMMISSION OF TEXAS. Sections 81.01001(a) and (a-1), Natural Resources Code, are amended to read as follows:

(a) The Railroad Commission of Texas is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished September 1, 2023 [~~2017~~].

(a-1) The review of the Railroad Commission of Texas by the Sunset Advisory Commission in preparation for the work of the 88th [~~85th~~] Legislature in Regular Session is not limited to the appropriateness of recommendations made by the Sunset

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Advisory Commission to the 83rd Legislature. In the Sunset Advisory Commission's report to the ~~85th~~ 88th Legislature, the Sunset Advisory Commission may include any recommendations it considers appropriate. The review must include an examination of alternative organizational structures for the Railroad Commission of Texas and alternative methods for performing the commission's responsibilities that would enable the efficient and effective accomplishment of the commission's functions. The examination must include an assessment of existing state agencies that would be able to perform the commission's functions. The review must also include an examination of methods to increase the public's role in decisions of the Railroad Commission of Texas that relate to the effect of the growth of resource extraction. The Sunset Advisory Commission may contract for assistance in performing the review, including assistance in evaluating, auditing, and forensic auditing, as the Sunset Advisory Commission determines necessary. This subsection expires September 1, 2023 [~~2017~~]. [*The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.*]

No equivalent provision.

SECTION 2.04. TEXAS RACING COMMISSION. Section 18.01(a), Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes), is amended to read as follows:
(a) The Texas Racing 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) of this section, the commission is abolished and this Act expires September 1, 2023 [~~2017~~].

SECTION 4.07. Same as Senate version.

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HOUSE VERSION

SENATE VERSION

CONFERENCE

No equivalent provision.

ARTICLE 3. ENTITIES GIVEN 2025 SUNSET DATE

ARTICLE 5. Same as Senate version.

No equivalent provision.

SECTION 3.01. TEXAS EDUCATION AGENCY. Section 7.004, Education Code, is amended to read as follows:
Sec. 7.004. SUNSET PROVISION. 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, 2025 [~~2015~~].

SECTION 5.01. Same as Senate version.

No equivalent provision.

SECTION 3.02. STATE EMPLOYEE CHARITABLE CAMPAIGN POLICY COMMITTEE. Section 659.140(i), Government Code, is amended to read as follows:
(i) The state employee charitable campaign policy committee is subject to the Texas Sunset Act. Unless continued in existence as provided by that chapter, the committee is abolished and Government Code, Chapter 659, Subchapter I, and Sections 814.0095 and 814.0096 expire on September 1, 2025 [~~2017~~].

SECTION 5.02. Same as Senate version.

ARTICLE 2. ENTITIES REMOVED FROM SPECIFIC SUNSET REVIEW

ARTICLE 4. Same as House version.

ARTICLE 6. Same as House version.

SECTION 2.01. SULPHUR RIVER BASIN AUTHORITY. Section 1A, Chapter 3, Acts of the 69th Legislature, 1st Called Session, 1985, is repealed.

SECTION 4.01. Same as House version.

No equivalent provision. *[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]*

No equivalent provision.

SECTION 4.02. PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, TEXAS. Section 5007.203, Special

SECTION 6.01. Same as Senate version.

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SECTION 2.02. CAPITAL METROPOLITAN
TRANSPORTATION AUTHORITY. Section 451.459,
Transportation Code, is repealed.

ARTICLE 3. EFFECTIVE DATE

SECTION 3.01. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

SENATE VERSION

District Local Laws Code, is repealed.

SECTION 4.03. Same as House version.

ARTICLE 5. Same as House version.

SECTION 5.01. Same as House version.

CONFERENCE

SECTION 6.02. Same as House version.

ARTICLE 7. Same as House version.

SECTION 7.01. Same as House version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 29, 2015

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
 Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3123 by Price (Relating to governmental entities subject to the sunset review process.), **Conference Committee Report**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3123, Conference Committee Report: an impact of \$0 through the biennium ending August 31, 2017.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	\$0
2017	\$0
2018	\$0
2019	\$0
2020	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>Appropriated Receipts</i> 666	Probable Revenue Gain/(Loss) from <i>Appropriated Receipts</i> 666	Change in Number of State Employees from FY 2015
2016	\$280,090	(\$280,090)	(2.4)
2017	\$30,010	(\$30,010)	(2.4)
2018	\$0	\$0	0.0
2019	\$0	\$0	0.0
2020	(\$79,740)	\$79,740	0.7

Fiscal Analysis

The bill would amend various Codes and Acts relating to governmental entities subject to the sunset review.

The bill would change previously established sunset dates for certain entities. The bill would change the sunset date for:

- 1) the Texas Facilities Commission from September 1, 2015 to September 1, 2021;
- 2) the Juvenile Justice Board and Department (TJJD) from September 1, 2017 to September 1, 2021;
- 3) the Lone Star Rail District (LSRD) from September 1, 2017 to September 1, 2021;
- 4) the Expanded Learning Opportunities Council (ELOC) from September 1, 2017 to September 1, 2023;
- 5) the State Commission on Judicial Conduct (SCJC) from September 1, 2019 to September 1, 2023;
- 6) the Judicial Branch Certification Commission (JBCC) from September 1, 2019 to September 1, 2023;
- 7) the Racing Commission from September 1, 2017 to September 1, 2023;
- 8) the Texas Education Agency (TEA) from September 1, 2015 to September 1, 2025;
- 9) the State Employee Charitable Campaign (ECC) from September 1, 2017 to September 1, 2025;
- 10) the Employees Retirement System (ERS) from September 1, 2017 to September 1, 2019;
- 11) the Texas Military Department from September 1, 2019 to September 1, 2023;
- 12) the Cancer Prevention and Research institute of Texas (CPRIT) from September 1, 2021 to September 1, 2023; and
- 13) the Railroad Commission of Texas from September 1, 2017 to September 1, 2023.

The bill would limit the scope of the Sunset review of the Texas Department of Transportation in 2017 to the department's project planning, selection, programming, and funding processes and its interactions with local transportation entities.

The bill would subject the North Texas Tollway Authority (NTTA) to sunset review in 2017.

The bill would repeal the sunset dates for the Capital Metropolitan Transportation Authority (CMTA) and the Port of Houston Authority (PHA).

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise the bill would take effect September 1, 2015.

Methodology

Based on information provided by the Sunset Advisory Commission (SAC), it is assumed that costs of \$11,075 would be realized per analyst assigned to a review team for each month required to conduct a review. This amount includes the costs for salaries, benefits, and other operating

costs necessary for staff to conduct these reviews. Travel costs are reflected separately below based on the project location.

Based on information provided by the SAC, it is assumed that Full-Time-Equivalent (FTE) positions would not be needed in fiscal years 2016-17 due to the repeal of the CMTA and PHA sunset requirements as well as the rescheduling of the LSRD. This analysis assumes additional FTEs would be required for the newly required sunset review of NTTA. The anticipated FTE adjustments are reflected in the table above.

Based on information provided by the SAC, the following is assumed for projects for which the SAC would be reimbursed for performing reviews and realize a savings from not performing reviews. The costs and savings as well as the revenue gains and losses from payments to the SAC as a reimbursement for the special reviews are reflected as Appropriated Receipts in the table above.

1) Costs would be realized from four analyst positions conducting a seven month review of the NTTA due to the bill requiring the sunset review of the authority. This cost would be offset by a corresponding revenue gain. Total costs for this project would be \$288,090 in fiscal year 2016 and \$32,010 in fiscal year 2017.

2) A savings would be realized from four analyst positions not conducting a six month review of the CMTA due to the bill repealing the sunset review. This savings would be offset by a corresponding revenue loss. Total costs for this project were estimated to be \$239,220 in fiscal year 2016 and \$26,580 in fiscal year 2017.

3) A savings would be realized from two analyst positions not conducting a four month review of the LSRD due to the bill rescheduling the sunset review. This savings would be offset by a corresponding revenue loss. Total costs for this project were estimated to be \$79,740 in fiscal year 2016 and \$8,860 in fiscal year 2017.

4) Costs would be realized from two analyst positions conducting a four month review of the LSRD due to the bill rescheduling the sunset review. This cost would be offset by a corresponding revenue gain. Total costs for this project would be \$79,740 in fiscal year 2020 and \$8,860 in fiscal year 2021. Costs in the table above only consider costs in fiscal year 2020.

5) A savings would be realized from four analyst positions not conducting a six month review of the PHA due to the bill repealing the sunset review. This savings would be offset by a corresponding revenue loss. Including travel costs of \$10,000, total costs for this project were estimated to be \$249,220 in fiscal year 2016 and \$26,580 in fiscal year 2017.

Based on information provided by the SAC, this analysis assumes there would be no fiscal impact to the state for changing the previously established sunset date for the TFC, TJJD, ELOC, SCJC, JBCC, Racing Commission, TEA, ECC, ERS, the Texas Military Department, CPRIT, and the Railroad Commission of Texas.

Local Government Impact

This analysis assumes the NTTA would realize costs of \$288,090 in fiscal year 2016 and \$32,010 in fiscal year 2017 due requiring the Authority to be subject to sunset review. Similarly, it is assumed that CMTA would realize a savings of \$239,220 in fiscal year 2016 and \$26,580 in fiscal year 2017 due to the repealing of the Transportation Authority's sunset review. The PHA would

realize a savings of \$249,220 in fiscal year 2016 and \$26,580 in fiscal year 2017 due to the repealing of the Port Authority's sunset review. Based on the rescheduling of the LSRD sunset review, it is assumed that the LSRD would realize a savings in fiscal years 2016-17 which would be offset by like costs in fiscal years 2020-21.

Source Agencies: 116 Sunset Advisory Commission, 242 State Commission on Judicial Conduct, 476 Racing Commission, 701 Central Education Agency, 303 Facilities Commission, 644 Juvenile Justice Department, 469 Credit Union Department

LBB Staff: UP, AG, SD, MW, PM

**Certification of Compliance with
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires a copy of a conference committee report signed by a majority of each committee of the conference to be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order under Rule 13.

I certify that a copy of the conference committee report on H.B. 3123 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.


(name)
Representative Four Price

May 29, 2015
(date)