

BILL ANALYSIS

C.S.S.B. 1455
By: Zaffirini
Government Transparency & Operation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that the state should ensure that its limited resources are being committed to current priorities. These parties believe that repealing obsolete or duplicative reporting requirements, changing the frequency of some reports, and redirecting some reports to relevant recipients would achieve that goal. To this end, C.S.S.B. 1455 seeks to streamline certain state agency reporting requirements.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 1455 amends the Education Code to remove a requirement that the board of directors of the center for educational technology report annually on the operation, projects, and fiscal affairs of the center to the State Board of Education (SBOE) and the membership of the center. The bill removes a requirement that the commissioner of education report to the governor and the SBOE the schools and districts qualified to receive successful school awards for their performance. The bill removes the Texas Racing Commission from the entities to which the executive director of Texas AgriLife Research is required to distribute an annual report on equine research.

C.S.S.B. 1455 amends the Government Code to make the annual report regarding certain case information that a court of appeals is required to file with the Office of Court Administration a monthly report. The bill removes the comptroller of public accounts from the entities to which the Health and Human Services Commission is required to submit the biennial Medicaid financial report and the quarterly report of Medicaid expenditures. The bill removes the comptroller from the entities to which the director of the Texas Forest Service is required to submit the annual written report on the activity, status, and effectiveness of the rural volunteer fire department insurance fund.

C.S.S.B. 1455 clarifies that the requirement that the grant writing team within the Governor's Office of Budget and Planning evaluate the effectiveness of each agency in acquiring discretionary federal funds applies to actions taken during the preceding state fiscal year, specifies that the team shall report the findings of the evaluation to the governor and the Legislative Budget Board (LBB), and requires the team to publish the report on the governor's website. The bill removes the comptroller from the entities to which a state agency is required to send a copy of the agency's strategic plan for its operation as well as from the entities to which

the long-range strategic plan for state government must be sent.

C.S.S.B. 1455 replaces the requirement that the LBB review and approve or disapprove a state agency's biennial operating plan or biennial operating plan amendment not later than the 60th day after the date the plan or amendment to the plan is submitted with the requirement that the LBB review and approve or disapprove the biennial operating plan for a state fiscal biennium on or before the 60th day after the last day of the regular legislative session held during the calendar year during which that state fiscal biennium begins. The bill establishes separate deadlines for the LBB in reviewing and approving or disapproving an amendment to a biennial operating plan based on the date the amendment is submitted to the LBB, authorizes the LBB to extend the deadline for LBB action on an amendment while waiting for the submission of certain additional information, and revises the circumstances under which an amendment is considered approved. The bill removes the specification that a biennial operating plan is considered to be approved on the 61st day after the date the plan is submitted if the LBB does not disapprove the plan before that date.

C.S.S.B. 1455 requires the Texas Facilities Commission (TFC), not later than December 1 of each even-numbered year, to report directly to the governor all improvements and repairs that have been made and the condition of all property under its control, rather than electronically submitting a report on that information on July 1 of each even-numbered year to certain entities. The bill removes the biennial July 1 deadline by which the TFC must complete its study on the amount of each state agency's administrative office space in Travis County to identify locations that exceed certain space limitations. The bill removes the specification that the summary of TFC findings on the status of state-owned buildings and current information on construction costs to be included in the TFC master facilities plan be electronically submitted in a report to certain entities. The bill changes from before July 1 of each even-numbered year to not later than December 1 of each even-numbered year the date by which the TFC is required to electronically submit a master facilities plan.

C.S.S.B. 1455 removes the requirement that the TFC, not later than July 1 of each even-numbered year, electronically submit to certain entities a report identifying counties in which more than 50,000 square feet of usable office space is needed and the TFC's recommendations for meeting that need and instead requires that the TFC identify such counties and make such recommendations. The bill removes the requirement that the LBB develop the aircraft use form in cooperation with the State Aircraft Pooling Board and instead requires the Texas Department of Transportation to prescribe the form.

C.S.S.B. 1455 removes the Texas Education Agency from the list of entities required under applicable Government Code provisions as amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, to enter into a joint memorandum of understanding to promote a system of local-level interagency staffing groups to coordinate services for persons needing multiagency services.

C.S.S.B. 1455 repeals the following:

- Section 51.752(g), Education Code, requiring the Educational Economic Policy Committee to report to the LBB, the governor, the SBOE, the Texas Higher Education Coordinating Board, and the legislature
- Section 61.0761, Education Code, establishing the P-16 College Readiness and Success Strategic Action Plan
- Section 109.75(c), Education Code, requiring the commissioner of the general land office to tender to the board of regents of the Texas Tech University System a report of all receipts that are collected from the lease or sale of oil, gas, sulphur, or other minerals that are deposited in the Texas Tech University special mineral fund during the preceding month

- Section 761.005, Government Code, requiring the Southern States Energy Board to submit its budgets of estimated expenditures to the governor and the LBB for presentation to the legislature
- Section 2166.409, Government Code, establishing the state agency energy savings program
- Section 372.004, Health and Safety Code, establishing certain reporting requirements for the Texas Commission on Environmental Quality regarding the prevalence of certain types of clothes-washing machines
- Section 162.501(c), Tax Code, requiring the comptroller to report to the legislature on the use of the tax administration fund in the administration and enforcement of statutory provisions relating to motor fuel taxes

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 1455 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Section 32.034(e), Education Code, is amended.	SECTION 1. Same as engrossed version.
SECTION 2. Section 39.263(c), Education Code, is amended.	SECTION 2. Same as engrossed version.
SECTION 3. Section 51.752(h), Education Code, is amended.	SECTION 3. Same as engrossed version.
SECTION 4. Section 61.0762(a), Education Code, is amended.	SECTION 4. Same as engrossed version.
SECTION 5. Section 88.526(a), Education Code, is amended.	SECTION 5. Same as engrossed version.
SECTION 6. Section 72.084, Government Code, is amended.	SECTION 6. Same as engrossed version.
SECTION 7. Section 531.02111(e), Government Code, is amended.	SECTION 7. Same as engrossed version.
SECTION 8. Section 531.02112(c), Government Code, is amended.	SECTION 8. Same as engrossed version.
SECTION 9. Section 531.055(a), Government Code, as amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, is amended.	SECTION 9. Same as engrossed version.

SECTION 10. Section 614.072(f), Government Code, is amended.

SECTION 10. Same as engrossed version.

SECTION 11. Section 772.009, Government Code, is amended.

SECTION 11. Same as engrossed version.

No equivalent provision.

SECTION 12. Section 2054.102, Government Code, is amended by amending Subsection (a) and adding Subsections (a-1), (a-2), (a-3), and (a-4) to read as follows:

(a) The Legislative Budget Board may specify procedures for ~~the~~ submission, review, approval, and disapproval of biennial operating plans and amendments, including procedures for review or reconsideration of the Legislative Budget Board's disapproval of a biennial operating plan or biennial operating plan amendment. The Legislative Budget Board shall review and approve or disapprove the biennial operating plan for a state fiscal biennium on or before ~~or~~ ~~biennial operating plan amendment not later than~~ the 60th day after the last day of the regular legislative session held during the calendar year during which that state fiscal biennium begins ~~[date the plan or amendment to the plan is submitted]~~.

(a-1) If an amendment to a biennial operating plan is submitted to the Legislative Budget Board on a date that falls during the period beginning September 1 of an even-numbered year and ending the last day of the following regular legislative session, the Legislative Budget Board shall review and approve or disapprove the amendment on or before the 60th day after the last day of that regular legislative session.

(a-2) If an ~~[The plan or]~~ amendment to a biennial operating ~~the~~ plan is submitted to the Legislative Budget Board on a date that falls outside of the period described by Subsection (a-1), the Legislative Budget Board shall review and approve or disapprove the amendment on or before the 60th day after the date the amendment is submitted.

(a-3) The Legislative Budget Board may extend the deadline for the Legislative Budget Board's action on an amendment to a biennial operating plan by the number of days the review of the amendment is delayed while board staff waits for the submission of additional information regarding the amendment requested by the

staff as necessary for the completion of the review.

(a-4) An amendment to a biennial operating plan is considered to be approved [on the 61st day after the date the plan or amendment is submitted] if the Legislative Budget Board does not disapprove the [plan or] amendment before the later of:

(1) the day following the last day of the period for approval or disapproval of the amendment as provided by Subsection (a-1) or (a-2), as applicable; or

(2) the day following the last day of the period for approval or disapproval of the amendment as extended under Subsection (a-3) [that date].

SECTION 12. Section 2056.002(d), Government Code, is amended.

SECTION 13. Same as engrossed version.

SECTION 13. Section 2056.009(b), Government Code, is amended.

SECTION 14. Same as engrossed version.

SECTION 14. Section 2165.055, Government Code, is reenacted and amended.

SECTION 15. Same as engrossed version.

SECTION 15. Section 2165.1061(h), Government Code, is amended.

SECTION 16. Same as engrossed version.

SECTION 16. Section 2166.101(d), Government Code, is reenacted and amended.

SECTION 17. Same as engrossed version.

SECTION 17. Section 2166.102(b), Government Code, is amended.

SECTION 18. Same as engrossed version.

SECTION 18. Section 2166.103(b), Government Code, is reenacted and amended.

SECTION 19. Same as engrossed version.

SECTION 19. Section 2205.041, Government Code, is amended.

SECTION 20. Same as engrossed version.

SECTION 20. The following provisions are repealed:

- (1) Section 51.752(g), Education Code;
- (2) Section 61.0761, Education Code;
- (3) Section 109.75(c), Education Code;
- (4) Section 761.005, Government Code;
- (5) Section 2166.409, Government Code;
- (6) Section 372.004, Health and Safety Code;
- (7) Section 101.0252, Human Resources Code; and

SECTION 21. The following provisions are repealed:

- (1) Section 51.752(g), Education Code;
- (2) Section 61.0761, Education Code;
- (3) Section 109.75(c), Education Code;
- (4) Section 761.005, Government Code;
- (5) Section 2166.409, Government Code;
- (6) Section 372.004, Health and Safety Code; and

(8) Section 162.501(c), Tax Code.

SECTION 21. This Act takes effect
September 1, 2015.

(7) Section 162.501(c), Tax Code.

SECTION 22. Same as engrossed version.