BILL ANALYSIS

H.B. 2583
By: Leach
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The State Office of Administrative Hearings (SOAH) receives payments from the majority of its referring agencies through lump-sum payments under interagency contracts. It has been suggested that this method is preferable to other arrangements, such as a fixed annual fee, because projected caseload and recent cost trends are taken into account. However, payments to SOAH from the comptroller of public accounts, the Texas Commission on Environmental Quality, and the Public Utility Commission of Texas currently use a different approach. H.B. 2583 seeks to provide greater consistency by revising the methods by which these agencies pay for SOAH services.

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

H.B. 2583 repeals Government Code provisions requiring the State Office of Administrative Hearings (SOAH) to charge the Texas Commission on Environmental Quality (TCEQ) and the comptroller of public accounts a fixed annual fee rather than an hourly rate for services rendered by SOAH.

H.B. 2583 amends the Government Code to make statutory provisions relating to interagency contracts between a state agency and SOAH under which the agency pays SOAH either an annual lump-sum amount or a fixed quarterly amount for services provided to the agency applicable to hearings for TCEQ and utility hearings for the Public Utility Commission of Texas.

H.B. 2583 repeals Sections 2003.048 and 2003.105, Government Code.

EFFECTIVE DATE

September 1, 2019.

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1