

BILL ANALYSIS

H.B. 1575
By: Cyrier
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Each two-year cycle, the Sunset Advisory Commission adopts recommendations on state agencies and other entities under sunset review. Often contained in those recommendations are certain "across-the-board policies," or ATBs, that the commission has established as standards of good governance for all state agencies. As a result of the piecemeal manner in which agencies under sunset review have their enabling statutes amended, agencies follow different standards, depending on when the agency last underwent sunset review, in matters such as conflicts of interest, complaint procedures, and public membership on policymaking bodies that are covered as part of these ATBs. H.B. 1575 seeks to remedy this issue by establishing and setting out these standard ATBs in statute and applying them uniformly to all agencies subject to sunset review.

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. 1575 amends the Government Code to establish the uniform applicability of certain general good government provisions propagated by the Sunset Advisory Commission, commonly known as the commission's "across-the-board policies (ATBs)," to each state agency subject to review by the commission under the Texas Sunset Act. These ATBs do the following:

- provide restrictions on who may serve as a public member of an agency's policymaking body so as to ensure public members are truly representative of the general public;
- establish conflict of interest prohibitions with respect to membership of a policymaking body or other applicable agency employment;
- require the governor to designate a member of a policymaking body as the body's presiding officer;
- provide specific grounds and processes for removing a member from a policymaking body;
- establish adequate and uniform training requirements for members of a policymaking body;
- requires a policy for the separation of an agency's policymaking body from the agency's management;
- require that public testimony be allowed at a policymaking body's meetings; and
- require an agency to maintain a system to promptly and efficiently act on complaints filed with the agency, including maintaining information about the complaint and making information describing complaint procedures available.

These provisions control to the extent of any conflict with other state law relating to a particular applicable agency.

EFFECTIVE DATE

September 1, 2021.