

SUBJECT: Repealing certain reporting duties of the attorney general

COMMITTEE: Human Services — favorable, without amendment

VOTE: 6 ayes — Rose, Darby, Elkins, Hernandez, Naishtat, Walle
0 nays
3 absent — Herrero, Hughes, Legler

SENATE VOTE: On final passage, April 30 — 31-0

WITNESSES: (*On companion bill, HB 4317:*)
For — None
Against — None
On — Adelaide Horn, Department of Aging and Disability Services (DADS); Shane Linkous, John Owens, Office of the Attorney General

BACKGROUND: Health and Safety Code, sec. 242.005 requires that DADS and the attorney general each prepare a full report of the operation and administration of their responsibilities regarding convalescent and nursing homes and related institutions and submit their reports to the governor and the Legislature no later than October 1 of each year.
Sec. 247.050 requires DADS and the attorney general to prepare a quarterly report on unlicensed assisted living facilities.
Education Code, sec. 61.0815(c) requires the attorney general and the president of each institution of higher learning to collect all necessary data for inclusion in a report on higher education employees serving as expert witnesses in certain suits.
Government Code, sec. 2107.005 allows the attorney general to develop specific reporting procedures for each state agency on the collection of delinquent obligations to the state and to adopt rules for the reports.
Local Government Code, sec. 240.903 requires the attorney general to

prepare a list describing the powers and duties given to the counties of this state regarding the regulation of land use, the regulation of structures, the platting and subdividing of land, and the provision and regulation of water, sewer, and other utility service to residential property, updating the list on a biennial basis and sending it to the county judge of each county in the state.

DIGEST:

SB 2237 would amend Health and Safety Code, sec. 242.005 to remove the requirement that the attorney general file a report on convalescent and nursing homes and related institutions. DADS would have to file its report by January 31 of each year.

The bill would amend sec. 247.050 to remove the requirement that the attorney general file quarterly reports on unlicensed assisted living facilities. DADS would have to file the reports annually.

SB 2273 would amend Education Code, sec. 61.0815(c) to remove the requirement that the attorney general collect data for inclusion in reports on higher education employees serving as expert witnesses in certain suits. It would repeal Government Code sec. 2107.005, requiring state agency reporting of delinquent obligations, and Local Government Code, sec. 240.903, requiring the attorney general to list county-land use authority.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.

NOTES:

The House companion bill, HB 4317 by Callegari, was reported favorably, as substituted, by Human Services Committee on April 28 and was placed on the May 11 General State Calendar.