

- SUBJECT:** Changing Sunset dates for various state agencies
- COMMITTEE:** State Affairs — favorable, without amendment
- VOTE:** 11 ayes — Phelan, Deshotel, Harless, Holland, Hunter, P. King, Parker, Raymond, E. Rodriguez, Smithee, Springer
- 0 nays
- 2 absent — Hernandez, Guerra
- WITNESSES:** For — None
- Against — Arif Panju, Institute for Justice; (*Registered, but did not testify:* Vance Ginn, Texas Public Policy Foundation)
- On — (*Registered, but did not testify:* Jennifer Jones, Texas Sunset Advisory Commission)
- BACKGROUND:** Government Code ch. 325, the Texas Sunset Act, requires the Sunset Advisory Commission and the Legislature to evaluate certain state agencies periodically to determine whether a public need exists for their continuation or their functions. A state agency is subject to the act if a date is set in statute for it to be reviewed or abolished.
- DIGEST:** HB 1550 would change the following agencies' statutory Sunset dates from September 1, 2019, to September 1, 2021:
- Texas Alcoholic Beverage Commission;
 - Finance Commission;
 - Office of Banking Commissioner;
 - Office of Savings and Mortgage Lending Commissioner and Department of Savings and Mortgage Lending;
 - Office of Consumer Credit Commissioner;
 - Department of Public Safety;

- Texas Veterans Commission;
- Texas Military Department;
- Texas State Library and Archives Commission;
- Texas Historical Commission;
- State Office of Risk Management and the risk management board;
- School Land Board;
- Texas Medical Board;
- Texas State Board of Examiners of Psychologists;
- Texas State Board of Examiners of Marriage and Family Therapists;
- Texas State Board of Examiners of Professional Counselors;
- Texas State Board of Social Worker Examiners;
- Texas Funeral Service Commission;
- Texas State Board of Public Accountancy;
- Texas Board of Professional Geoscientists;
- Texas Board of Professional Land Surveying;
- Texas Real Estate Commission;
- Texas Appraiser Licensing and Certification Board;
- Texas State Board of Plumbing Examiners;
- Texas Department of Motor Vehicles; and
- State Securities Board.

The bill also would move from 2019 to 2021 the next review for the following agencies subject to review but not to being abolished under the Texas Sunset Act:

- Texas Windstorm Insurance Association;
- Veterans' Land Board;
- Lower Colorado River Authority;
- Guadalupe-Blanco River Authority;
- Nueces River Authority; and
- Red River Authority of Texas.

If a conflict existed between this bill and another bill of this regular legislative session that extended the Sunset date of a governmental entity,

the provisions of the other bill would prevail.

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, 2019.

**SUPPORTERS
SAY:**

HB 1550 would change the Sunset date from September 1, 2019, to September 1, 2021, for all 32 agencies that went through the Sunset review process during the interim, which could be used later in the session as a vehicle to avoid inadvertently terminating those agencies if individual bills for their continuation failed to be enacted for other reasons. Any provision of the bill would be overridden if subsequent Sunset legislation was enacted for a particular agency, ensuring that the Legislature retained its authority to decide whether an individual agency should be continued or abolished.

**OPPONENTS
SAY:**

The occupational licensing agencies included in HB 1550 were reviewed during the interim by the Sunset Advisory Commission and should be evaluated upon their merits individually by the Legislature during this session instead of unnecessarily extending their Sunset dates without consideration. This is especially true of some occupational licensing agencies that the commission recommended be abolished.