

## **BILL ANALYSIS**

Senate Research Center  
76R3965 JRD-F

S.B. 1414  
By: Shapiro  
State Affairs  
3/16/1999  
As Filed

### **DIGEST**

Currently, approximately 57 agencies utilize services from the State Office of Administrative Hearings (SOAH). The General Appropriations Act of the 75th Legislature allocated to SOAH general revenue funds from 35 agencies using SOAH services. The remaining agencies that currently use the SOAH services do not have contract guidelines established. S.B. 1414 would amend Chapter 2003, Government Code, to establish guidelines for paying for services provided by SOAH.

### **PURPOSE**

As proposed, S.B. 1414 establishes guidelines for paying for services provided by the State Office of Administrative Hearings.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 2003B, Government Code, by adding Section 2003.024, as follows:

Sec. 2003.024. INTERAGENCY CONTRACTS. Requires the State Office of Administrative Hearings (office) and the agency that refers to the office for hearing or for the conduct of alternative dispute resolution procedures to enter into an interagency contract under which the referring agency pays the office the costs of conducting a hearing or procedure based on a certain hourly rate. Requires the office to file, as part of its legislative appropriation request an estimate of its hourly costs in conducting each type of hearing or dispute resolution procedure each state fiscal biennium. Requires the office to estimate the hourly cost based on the average cost per hour during the preceding fiscal year of certain salaries, expenses, and administrative costs. Establishes that this section does not apply to certain hearings.

SECTION 2. Amends Section 2003.048, Government Code, to prohibit the fee charges to the Texas Natural Resource Conservation Commission (TNRCC) from being less than the amount appropriated to TNRCC for payment to the natural resource conservation division to conduct hearings. Requires the fee to be based on certain costs.

SECTION 3. Amends Section 2003.049(l), Government Code, to prohibit the fee charges to the Texas Natural Resource Conservation Commission (TNRCC) from being less than the amount appropriated to TNRCC for payment to the utilities division to conduct hearings. Requires the fee to be based on certain costs.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.