

BILL ANALYSIS

Senate Research Center
78R17397 PB-D

H.B. 3378
By: Hope (Shapleigh)
Finance
5/23/2003
Committee Report (Amended)

DIGEST AND PURPOSE

Due to the current budget shortfall, state agencies and institutions of higher education were asked to prioritize spending based on core functions and essential services. Legislators looked to these priorities in preparation of the budget; however, certain statutory changes are also needed to conform with appropriations levels in the 2004-05 General Appropriations Act. H.B. 3378 authorizes these statutory changes for the regulatory agencies listed under Article VIII of the 2004-05 General Appropriations Act.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

ARTICLE 1. BALANCED BUDGET AUTHORITY

SECTION 1.01. AUTHORITY. Authorizes the amounts required by statute for entities that receive state funds under Article VIII of the General Appropriations Act to be reduced or eliminated in order to achieve a balanced budget.

ARTICLE 2. CONFORMING AMENDMENTS

SECTION 2.01. TEXAS WORKERS' COMPENSATION COMMISSION. Amends Section 403.006(a), Labor Code, to provide that the subsequent injury fund is a dedicated general revenue account, rather than a special fund, in the state treasury.

SECTION 2.02. PUBLIC UTILITIES COMMISSION. Reenacts and amends Section 39.903(a), Utilities Code, as amended by Chapters 1394 and 1466, Acts of the 77th Legislature, Regular Session, 2001, to delete existing text authorizing the system benefit fund to be appropriated only for the purposes provided by this section. Deletes existing text providing that the system benefit fund is created as a trust fund with the comptroller of public accounts (comptroller) in the state treasury.

SECTION 2.03. TEXAS DEPARTMENT OF BANKING. (a) Amends Section 342.201(f), Financial Code, to authorize, rather than require, one dollar of each administrative fee to be deposited with the comptroller for use in carrying out the finance commission's responsibilities under Section 11.3055, rather than 11.305.

(b) Amends Section 342.308(c), Finance Code, to make conforming changes.

(c) Redesignates Sections 11.305(a) and (b), Finance Code, as amended by Chapter 867, Acts of the 77th Legislature, Regular Session, 2001, as Section 11.3055, Finance Code, and reenacts it as follows:

Sec. 11.3055. FINANCIAL SERVICES STUDY. (a) Authorizes, rather than requires, the finance commission to assign certain individuals to conduct research on certain topics.

(b) No change to this subsection.

ARTICLE 3. EFFECTIVE DATE

SECTION 3.01. EFFECTIVE DATE. Effective date: upon passage or September 1, 2003.

LIST OF COMMITTEE AMENDMENTS

Committee Amendment No 1:

Amend H.B. 3378 (house engrossment printing) by inserting the following new SECTION 2.04 in the bill (page 3, between lines 18 and 19) to read as follows:

SECTION 2.04. TEXAS DEPARTMENT OF INSURANCE. Section 802.055, Insurance Code, as effective June 1, 2003, is amended to read as follows:

Sec. 802.055. COSTS PAID BY INSURANCE COMPANY. ~~[(a)]~~ An insurance company shall pay all ~~[the]~~ costs of preparing and furnishing to the National Association of Insurance Commissioners the information required under Section 802.052, including any related filing fees.

~~[(b) Except as provided by Subsection (a), costs relating to providing the information required under Section 802.052 may not be assessed against an insurance company.]~~