

## **BILL ANALYSIS**

Senate Research Center  
79R18656 E

C.S.H.B. 1116  
By: Solomons (Nelson)  
Government Organization  
5/20/2005  
Committee Report (Substituted)

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

State agencies undergo periodic review by the Sunset Advisory Commission (commission). Each session a sunset scheduling bill is filed to make necessary changes to the ongoing sunset review schedule in order to balance the workload of the commission, better align the reviews of agencies by grouping them based on subject matter, and, in some cases, to serve as a safety net in the event that an agency sunset bill is in danger of not passing.

C.S.H.B. 1116 moves the reviews of agencies to balance the upcoming review workload, ensure that certain agencies may be reviewed along with other similar agencies, and ensure that one agency's sunset review date coincides with that of the agency that provided administrative support when the agency first began operations. C.S.H.B. 1116 also removes three non-functioning agencies and two legislative committees from sunset review.

### **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. ENTITIES GIVEN 2007 SUNSET DATE

SECTION 1.01. TEXAS BOARD OF CRIMINAL JUSTICE; TEXAS DEPARTMENT OF CRIMINAL JUSTICE. Amends Section 492.012, Government Code, to change the sunset date for the Texas Board of Criminal Justice and the Texas Department of Criminal Justice from September 1, 2011, to September 1, 2007.

SECTION 1.02. CORRECTIONAL MANAGED HEALTH CARE COMMITTEE. Amends Section 501.132, Government Code, to change the sunset date for the Correctional Managed Health Care Committee from September 1, 2011, to September 1, 2007.

#### ARTICLE 2. ENTITIES GIVEN 2009 SUNSET DATE

SECTION 201. TEXAS MILITARY PREPAREDNESS COMMISSION. Amends Section 436.003, Government Code, as added by Chapter 149, Acts of the 78th Legislature, Regular Session, 2003 to extend the sunset date for the Texas Military Preparedness Commission from September 1, 2007, to September 1, 2009.

SECTION 2.02. TEXAS CANCER COUNCIL. Amends Section 102.003, Health and Safety Code, to change the sunset date for the Texas Cancer Council from September 1, 2011, to September 1, 2009.

SECTION 2.03. TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES. Amends Section 112.023, Human Resources Code, to change the sunset date for the Texas Council for Developmental Disabilities from September 1, 2011, to September 1, 2009.

SECTION 2.04. GOVERNOR'S COMMITTEE ON PEOPLE WITH DISABILITIES. Amends Section 115.005, Human Resources Code, to change the sunset date for the Governor's Committee on People with Disabilities from September 1, 2011, to September 1, 2009.

### ARTICLE 3. ENTITIES GIVEN 2011 SUNSET DATE

SECTION 3.01. DEPARTMENT OF AGRICULTURE. Amends Section 11.003, Agriculture Code, to change the sunset date for the Department of Agriculture from September 1, 2007, to September 1, 2011.

SECTION 3.02. TEXAS-ISRAEL EXCHANGE FUND BOARD. Amends Section 45.006(i), Agriculture Code, to change the sunset date for the Texas-Israel Exchange Fund Board from September 1, 2007, to September 1, 2011.

SECTION 3.03. BOARD OF DIRECTORS--OFFICIAL COTTON GROWERS' BOLL WEEVIL ERADICATION FOUNDATION. Amends Section 74.127(a), Agriculture Code, to change the sunset date for the board of directors of the official cotton growers' boll weevil eradication foundation from September 1, 2007, to September 1, 2011.

SECTION 3.04. TEXAS ANIMAL HEALTH COMMISSION. Amends Section 161.027, Agriculture Code, to change the sunset date for the Texas Animal Health Commission from September 1, 2007, to September 1, 2011.

SECTION 3.05. STATE PRESERVATION BOARD. Amends Section 443.002, Government Code, to change the sunset date for the State Preservation Board from September 1, 2007, to September 1, 2011.

SECTION 3.06. PRESCRIBED BURNING BOARD. Amends Section 153.044, Natural Resources Code, to change the sunset date for the Prescribed Burning Board from September 1, 2007, to September 1, 2011.

SECTION 3.07. PUBLIC UTILITY COMMISSION OF TEXAS. (a) Amends Section 12.005, Utilities Code, to change the sunset date for the Public Utility Commission of Texas from September 1, 2005, to September 1, 2011.

(b) Makes application of this section contingent upon the 79th Legislature, Regular Session, 2005, enacting no other legislation that becomes law and amends Section 12.005, Utilities Code, to extend the sunset date of the Public Utility Commission of Texas or a successor in function.

SECTION 3.08. OFFICE OF PUBLIC UTILITY COUNSEL. (a) Amends Section 13.002, Utilities Code, to change the sunset date for the Office of Public Utility Counsel from September 1, 2005, to September 1, 2011.

(b) Makes application of this section contingent upon the 79th Legislature, Regular Session, 2005, enacting no other legislation that becomes law and amends Section 13.002, Utilities Code, to extend the sunset date of the Office of Public Utility Counsel or a successor in function.

### ARTICLE 4. ENTITIES GIVEN 2015 SUNSET DATE

SECTION 4.01. TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS. Amends Section 1002.003, Occupations Code, to extend the sunset date for the Texas Board of Professional Geoscientists from September 1, 2013, to September 1, 2015.

### ARTICLE 5. ENTITIES REMOVED FROM SPECIFIC SUNSET REVIEW

SECTION 5.01. Repealer: (1) Section 413.003 (Sunset Provision [Criminal Justice Policy Council]), Government Code;

(2) Section 2108.007 (Application of Sunset Act [Texas Incentive and Productivity Commission]), Government Code;

(3) Section 2205.019 (Sunset Provision [State Aircraft Pooling Board]), Government Code;

(4) Article 21.49-20(d) (Property and Casualty Insurance Legislative Oversight Committee [Property and Casualty Insurance Legislative Oversight Committee), Insurance Code; and

(5) Section 39.907(d) (Electric Utility Restructuring Legislative Oversight Committee), Utilities Code.

#### ARTICLE 6. STUDY OF COURT COSTS AND FEES

SECTION 6.01. STUDY OF COURT COSTS AND FEES. Requires the Sunset Advisory Commission, as part of its review of criminal justice agencies for the 80th Legislature, to study the purpose, collection, and use of certain criminal court costs and fees and parole, probation, and community supervision fees. Requires the commission, in its report to the 80th Legislature, to include any recommendations it considers appropriate resulting from its consideration of the study. Requires the Office of the State Auditor, the Legislative Budget Board, the comptroller of public accounts, and any other state agency to assist the commission as necessary in conducting the study required by this section.

#### ARTICLE 7. EFFECTIVE DATE

SECTION 7.01. EFFECTIVE DATE. Effective date: September 1, 2005.