

BILL ANALYSIS

Senate Research Center
81R1116 MCK-D

H.B. 874
By: Callegari (Lucio)
Government Organization
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Incentive and Productivity Commission (TIPC) was created in 1989 to administer programs that reduced state agencies' operating costs through the improvement of productivity. At the height of its operation TIPC had six fulltime employees, including a director, and operated with an annual budget of \$211,233. In 2004, the State Council on Competitive Government (council) released a report with the finding that small and mid-sized agencies rarely participated in TIPC programs. In the absence of meaningful agency participation in the programs, the council recommended that individual agencies be responsible for implementing their own employee suggestion program on a voluntary basis beginning September 1, 2004, under guidelines developed by the council. Following the council's 2004 report TIPC ceased operations during fiscal year 2005. The 79th Legislature, Regular Session, 2005, discontinued funding for TIPC upon the recommendation of the Legislative Budget Board. The 80th Legislature, Regular Session, 2007, did not appropriate any funds for the TIPC for the 2008-2009 fiscal biennium. Although authorized by law, the TIPC no longer exists as a functioning state agency, nor do any other state agencies participate in the state employee incentive program administered by TIPC.

H.B. 874 abolishes TIPC and the state employee incentive program administered by TIPC.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. AMENDMENT. Amends the heading to Chapter 2108, Government Code, to read as follows:

CHAPTER 2108. SAVINGS INCENTIVE PROGRAM FOR STATE AGENCY

SECTION 2. REPEALER. (a) Repealers: Subchapters A (General Provisions) and B (State Employee Incentive Program), Chapter 2108 (Employee Incentive and Agency Productivity), Government Code.

(b) Repealer: The subchapter heading to Subchapter C (Savings Incentive Program for State Agency), Chapter 2108, Government Code.

SECTION 3. CONFORMING AMENDMENT. Amends Section 2113.107(f), Government Code, to provide that Subsection (e) (relating to the requirement that a state agency is prohibited from using appropriated money to publish a publication on certain types of printing stock) does not apply to the publication of a brochure regarding approved foods under the federal special supplemental food program for women, infants, and children administered by the Texas Department of Health, a publication designed to promote tourism or economic development, a publication of the Texas School for the Deaf or the Texas School for the Blind and Visually Impaired, or a publication of an institution of higher education, rather than a publication of the Texas Incentive and Productivity Commission (TIPC).

SECTION 4. CONFORMING REPEALERS. Repealers: (1) Section 201.0192 (State Employee Incentive Information), Agriculture Code;

- (2) Section 61.0281 (State Employee Incentive Program), Education Code;
- (3) Section 12.113 (Employee Incentive Program), Finance Code;
- (4) Section 13.015 (Employee Incentive Program), Finance Code;
- (5) Section 14.067 (Employee Incentive Program), Finance Code;
- (6) Section 33.0046 (State Employee Incentive Program: Information and Training), Government Code;
- (7) Section 52.019 (State Employee Incentive Program), Government Code;
- (8) Section 81.037 (State Employee Incentive Program), Government Code;
- (9) Section 82.012 (State Employee Incentive Program), Government Code;
- (10) Section 436.061 (State Employee Incentive Program), Government Code;
- (11) Section 481.010(i) (relating to the requirement that the executive director of the Texas Economic Development and Tourism Office (executive director) or the executive director's designee to provide office employees information and training on the state employee incentive program), Government Code;
- (12) Section 571.0303 (Training on State Employee Incentive Program), Government Code;
- (13) Section 801.111(e) (relating to the requirement that the executive director of the State Pension Review Board (executive director) or the executive director's designee to provide information and training on the state employee incentive program), Government Code;
- (14) Section 2003.054 (State Employee Incentive Program), Government Code;
- (15) Section 2152.110 (State Employee Incentive Program), Government Code;
- (16) Section 2205.018 (State Employee Incentive Program), Government Code;
- (17) Section 2306.6019 (State Employee Incentive Program), Government Code;
- (18) Section 2308.159 (State Employee Incentive Program Information and Training), Government Code;
- (19) Section 1001.057 (State Employee Incentive Program), Health and Safety Code;
- (20) Section 21.0053 (State Employee Incentive Program), Human Resources Code;
- (21) Section 117.057 (State Employee Incentive Program), Human Resources Code;
- (22) Section 161.057 (State Employee Incentive Program), Human Resources Code;
- (23) Section 301.046 (State Employee Incentive Program Information and Training), Labor Code;
- (24) Section 51.109 (State Employee Incentive Program), Occupations Code;
- (25) Section 253.008 (Training for Employees on State Incentive Program), Occupations Code;
- (26) Section 651.0512 (Training for Employees on State Incentive Program), Occupations Code;

- (27) Section 901.106 (Information on State Employee Incentive Program), Occupations Code;
- (28) Section 1001.156 (Information on State Employee Incentive Program), Occupations Code;
- (29) Section 1071.107 (Information on State Employee Incentive Program), Occupations Code;
- (30) Section 1151.074 (Information on State Employee Incentive Program), Occupations Code;
- (31) Section 1301.206 (Employee Incentive Program), Occupations Code;
- (32) Section 11.0127 (Training for Employees on State Incentive Program), Parks and Wildlife Code;
- (33) Section 407.007 (Information and Training on State Employee Incentive Program), Property Code;
- (34) Section 5.2275 (State Employee Incentive Program), Water Code;
- (35) Section 6.196 (Training on State Employee Incentive Program), Water Code;
- (36) Section 2-8 (Information About State Employee Incentive Program), The Securities Act (Article 581-2-8, V.T.C.S.);
- (37) Section 21A(k) (relating to the requirement that the fire fighters' pension commissioner or the commissioner's designee provide employees information and training on the state employee incentive program), Texas Local Fire Fighters Retirement Act (Article 6243e, V.T.C.S.); and
- (38) Article 6447m (Employee Incentive Program), V.T.C.S.

SECTION 5. ABOLITION. Provides that on the effective date of this Act, TIPC is abolished, all TIPC employee positions are eliminated, the state employee incentive program under Subchapter B, Chapter 2108, Government Code, is abolished, and any memorandum of understanding or interagency contract entered into between TIPC and another state agency expires.

SECTION 6. EFFECTIVE DATE. Effective date: upon passage or September 1, 2009.