

BILL ANALYSIS

Senate Research Center
85R13073 KLA-D

S.B. 1831
By: Buckingham
Finance
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1831 seeks to establish a mechanism to provide the legislature with information to reduce the size and scope of government by accounting for statutorily required programs that do not receive appropriations. The General Appropriations Act traditionally includes a contingency rider that states, "No state agency or institution is required to reallocate or redistribute funds appropriated in this Act to provide funding for programs or legislation...for which there is no specific appropriation or contingency provision identified in this Act." The effect of this contingency rider is that some statutorily required state programs for which there is no appropriation are often inactive.

Under S.B. 1831, state agencies would be required to provide to the comptroller not later than September 30 of each year:

- Each program the state agency is statutorily required to implement for which no appropriation was made for the preceding state fiscal year.
- The amount and source of money the state agency spent, if any, to implement statutorily required programs unfunded during the preceding state fiscal year.

In addition to identifying state programs that did not receive appropriations, this report will provide transparency on the financial activity of state agencies regarding alternative methods of funding such programs.

The comptroller is directed by S.B. 1831 to prescribe the form and content of the information a state agency must provide as to allow the comptroller to prepare an annual report to the legislature no later than January 1 of each year.

As proposed, S.B. 1831 amends current law relating to an annual report on state programs and functions not funded by appropriations.

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. Amends Subchapter B, Chapter 403, Government Code, by adding Section 403.0147, as follows:

Sec. 403.0147. REPORT ON STATE PROGRAMS AND FUNCTIONS NOT FUNDED BY APPROPRIATIONS. (a) Defines "state agency."

(b) Requires the Texas comptroller of public accounts (comptroller), not later than January 1 of each year, to submit a report to the legislature that identifies for each state agency each program or other function the state agency is statutorily required or authorized to implement for which no appropriation was made for the preceding state fiscal year, and the amount and source of money the state agency

spent, if any, to implement the program or other described function during the preceding state fiscal year.

(c) Requires a state agency to provide to the comptroller not later than September 30 of each year information necessary for the comptroller to prepare the report required by this section. Authorizes the comptroller to prescribe the form and content of the information a state agency is required to provide.

SECTION 2. Requires the comptroller to submit the initial report required by Section 403.0147, Government Code, as added by this Act, not later than January 1, 2018.

SECTION 3. Effective date: upon passage or September 1, 2017.