

BILL ANALYSIS

Senate Research Center
86R7909 MCK-D

H.B. 1550
By: Paddie et al. (Birdwell)
Natural Resources & Economic Development
5/17/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1550 amends current law relating to certain governmental entities subject to the sunset review process.

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 Section 5.01(b), Alcoholic Beverage Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code (Texas Sunset Act), the Texas Alcoholic Beverage Commissioner is abolished and Subchapter A (Administrative Procedures), Chapter 5, expires September 1, 2021, rather than September 1, 2019.

SECTION 2. Amends Section 11.108, Finance Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the finance commission is abolished September 1, 2021, rather than is abolished September 1, 2019.

SECTION 3. Amends Section 12.109, Finance Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the office of banking commissioner is abolished September 1, 2021, rather than is abolished September 1, 2019.

SECTION 4. Amends Section 13.012, Finance Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the office of savings and mortgage lending commissioner and the Department of Saving and Mortgage Lending are abolished September 1, 2021, rather than September 1, 2019.

SECTION 5. Amends Section 14.066, Finance Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Office of Consumer Credit Commissioner is abolished September 1, 2021, rather than September 1, 2019.

SECTION 6. Amends Section 411.002(c), Government Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Department of Public Safety of the State of Texas (DPS) is abolished and Subsections (a) (relating to providing the purpose and requirements of composition for DPS) and (b) (relating to requiring DPS to have its principal office and headquarters in Austin) expire on September 1, 2021, rather than September 1, 2019.

SECTION 7. Amends Section 434.002(a), Government Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas Veterans Commission is abolished September 1, 2021, rather than September 1, 2019.

SECTION 8. Amends Section 437.051, Government Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas Military Department is abolished September 1, 2021, rather than September 1, 2019.

SECTION 9. Amends Section 441.001(q), Government Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas State Library and Archives Commission is abolished September 1, 2021, rather than September 1, 2019.

SECTION 10. Amends Section 442.002(k), Government Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas Historical Commission is abolished and this chapter (Texas Historical Commission) expires September 1, 2021, rather than is abolished September 1, 2019.

SECTION 11. Amends Section 2210.002(b), Insurance Code, to require the Texas Windstorm Insurance Association to be reviewed during the period in which state agencies abolished in 2021, rather than in 2019, are reviewed. Provides that this subsection expires September 1, 2021, rather than September 1, 2019.

SECTION 12. Amends Section 412.021(f), Labor Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Risk Management Board is abolished and this section (Risk Management Board) expires September 1, 2021, rather than September 1, 2019.

SECTION 13. Amends Section 32.003, Natural Resources Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the School Land Board is abolished September 1, 2021, rather than September 1, 2019.

SECTION 14. Amends Section 161.0111, Natural Resources Code, to require the Veterans' Land Board to be reviewed during the period in which state agencies abolished in 2021 are reviewed and every 12th year after that, rather than in which state agencies are abolished in 2019 and every 12th year after 2019 are reviewed.

SECTION 15. Amends Section 151.004, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas Medical Board is abolished and this subtitle (Physicians) and Chapters 204 (Physician Assistants), 205 (Acupuncture), 206 (Surgical Assistants), 601 (Medical Radiological Technologists), 602 (Medical Physicists), 603 (Perfusionists), 604 (respiratory Care Practitioners) expire September 1, 2021, rather than September 1, 2019.

SECTION 16. Amends Section 501.005, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas State Board of Examiners of Psychologists is abolished and this chapter (Psychologists) expires September 1, 2021, rather than September 1, 2019.

SECTION 17. Amends Section 502.003, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas State Board of Examiners of Marriage and Family Therapists is abolished and this chapter (Marriage and Family Therapists) expires September 1, 2021, rather than September 1, 2019.

SECTION 18. Amends Section 531.005, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas State Board of Examiners of Professional Counselors is abolished September 1, 2021, rather than September 1, 2019.

SECTION 19. Amends Section 505.005, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas State Board of Social Worker Examiners is abolished and Section 505.101 (Board; Membership) expires September 1, 2021, rather than September 1, 2019.

SECTION 20. Amends Section 651.002, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas Funeral Services Commission is abolished and this chapter (Cemetery and Crematory Services, Funeral Directing, and Embalming) expires September 1, 2021, rather than September 1, 2019.

SECTION 21. Amends Section 901.006, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas State Board of Public Accountancy is abolished and this chapter (Accountants) expires September 1, 2021, rather than September 1, 2019.

SECTION 22. Amends Section 1002.003, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas Board of Professional Geoscientists is abolished and this chapter (Geoscientists) expires September 1, 2021, rather than September 1, 2019.

SECTION 23. Amends Section 1071.003, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas Board of Professional Land Surveying is abolished and this chapter (Land Surveyors) expires September 1, 2021, rather than September 1, 2019.

SECTION 24. Amends Section 1101.006, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas Real Estate Commission is abolished and this chapter (Real Estate Brokers and Sales Agents), Chapter 1102 (Real Estate Inspectors), Chapter 1303 (Residential Services Companies), and Chapter 221 (Texas Timeshare Act), Property Code expire September 1, 2021, rather than September 1, 2019.

SECTION 25. Amends Section 1103.006, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas Appraiser Licensing and Certifications Board is abolished and this chapter (Real Estate Appraisers_ and Chapter 1104 (Appraisal Management Companies) expires September 1, 2021, rather than September 1, 2019.

SECTION 26. Amends Section 1301.003, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas State Board of Plumbing Examiners is abolished and this chapter (Plumbers) expires September 1, 2021, rather than September 1, 2019.

SECTION 27. Amends Section 8503.0021(a), Special District Local Laws Code, to require the review of the Lower Colorado River Authority (authority) to be conducted under Section 325.025 (River Authorities Subject to Review), Government Code, as if the authority were a state agency scheduled to be abolished September 1, 2021, rather than September 1, 2019, and every 12th year after that year.

SECTION 28. Amends Section 1001.005, Transportation Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code, the Texas Department of Motor Vehicles is abolished September 1, 2021, rather than September 1, 2019.

SECTION 29. Amends Subsection O, Section 2, The Securities Act (Article 581-2, V.T.C.S.), to provide that, unless continued in existence as provided by Chapter 325, Government Code, the State Securities Board, is abolished and this Act expires September 1, 2021, rather than September 1, 2019.

SECTION 30. Amends Section 1A(a), Chapter 75, Acts of the 43rd Legislature, 1st Called Session, 1933, to require the review to be conducted under Section 325.025, Government Code, as if the district were a state agency scheduled to be abolished September 1, 2021, rather than September 1, 2019, and every 12th year after that year.

SECTION 31. Amends Section 1.02A(a), Chapter 427, Acts of the 44th Legislature, 1st Called Session, 1935, to require the review to be conducted under Section 325.025, Government Code, as if the authority were a state agency scheduled to be abolished September 1, 2021, rather than September 1, 2019, and every 12th year after that year.

SECTION 32. Amends Section 1A(a), Chapter 279, Acts of the 56th Legislature, Regular Session, 1959, to require the review to be conducted under Section 325.025, Government Code, as if the authority were a state agency scheduled to be abolished September 1, 2021, rather than September 1, 2019, and every 12th year after that year.

SECTION 33. Provides that if a conflict exists between this Act and another Act of the 86th Legislature, Regular Session, 2019, that extends the sunset date of a governmental entity, the provisions of the other Act prevail without regard to the relative dates of enactment.

SECTION 34. Effective date: upon passage or September 1, 2019.