

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 29, 2015
Date

Honorable Dan Patrick
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 459 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

[Signature]
(Sen. Lucido)

[Signature]
(Rep. Alvarez)

[Signature]
(Sen. Beightson)

[Signature]
(Rep. Lozano)

[Signature]
(Sen. Eltife)

[Signature]
(Rep. Lucio)

[Signature]
(Sen. Estes)

[Signature]
(Rep. Thompson)

[Signature]
On the part of the Senate
(Sen. Zaffirini)

[Signature]
On the part of the House
(Rep. Wo)

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

S.B. No. 459

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation of the Advisory Council on Cultural
3 Affairs in the office of the governor.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subtitle E, Title 4, Government Code, is amended
6 by adding Chapter 470 to read as follows:

7 CHAPTER 470. ADVISORY COUNCIL ON CULTURAL AFFAIRS

8 Sec. 470.001. DEFINITIONS. In this chapter:

9 (1) "Council" means the Advisory Council on Cultural
10 Affairs.

11 (2) "State agency" includes an institution of higher
12 education as defined by Section 61.003, Education Code.

13 Sec. 470.002. ESTABLISHMENT. The Advisory Council on
14 Cultural Affairs is established in the office of the governor to
15 advise the office on setting policy priorities that address and
16 raise public awareness of major issues affecting this state due to
17 the rapid growth of the state's Hispanic population and other
18 issues resulting from changes in demographics in this state as
19 determined by the governor.

20 Sec. 470.003. COMPOSITION; TERMS. (a) The council is
21 composed of nine members appointed as follows:

22 (1) one ex officio member of the legislature appointed
23 by the speaker of the house of representatives;

24 (2) one ex officio member of the legislature appointed

1 by the lieutenant governor; and

2 (3) seven members appointed by the governor.

3 (b) Members appointed by the speaker of the house and the
4 lieutenant governor serve two-year terms. Members appointed by the
5 governor serve four-year staggered terms, with either three or four
6 members' terms expiring February 1 of each odd-numbered year.

7 (c) In making appointments to the council, the appointing
8 officials shall attempt to achieve representation of all areas of
9 the state.

10 (d) The governor shall designate the chair and vice chair of
11 the council from among the members of the council.

12 Sec. 470.004. MEETINGS. The council shall meet at least
13 quarterly each fiscal year. The council may hold meetings by
14 conference call.

15 Sec. 470.005. COMPENSATION. A member of the council is not
16 entitled to compensation or reimbursement of expenses incurred in
17 performing council duties.

18 Sec. 470.006. DUTIES. The council shall study and make
19 recommendations relating to the effect of the changing demographics
20 of this state on the following areas, as they relate to this state:

21 (1) the economy;

22 (2) the workplace;

23 (3) educational attainment;

24 (4) health;

25 (5) veterans affairs; and

26 (6) political leadership.

27 Sec. 470.007. RECOMMENDATIONS. The council shall submit a

1 report of the council's recommendations to the governor, lieutenant
2 governor, and speaker of the house of representatives not later
3 than October 1 of each even-numbered year.

4 Sec. 470.008. EXEMPTION. Chapter 2110 does not apply to the
5 council.

6 Sec. 470.009. ASSISTANCE OF STATE AGENCIES. State agencies
7 and political subdivisions of this state shall cooperate with the
8 council to the greatest extent practicable to fully implement the
9 council's statutory duties.

10 SECTION 2. Not later than October 1, 2015, the speaker of
11 the house of representatives, the lieutenant governor, and the
12 governor shall appoint the members of the Advisory Council on
13 Cultural Affairs established by Chapter 470, Government Code, as
14 added by this Act. In appointing the initial members of the
15 council, the governor shall appoint three persons to terms expiring
16 February 1, 2017, and four to terms expiring February 1, 2019.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2015.

Senate Bill 459
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

SECTION 1. Subtitle E, Title 4, Government Code, is amended by adding Chapter 470 to read as follows:

CHAPTER 470. ADVISORY COUNCIL ON CULTURAL AFFAIRS

Sec. 470.001. DEFINITIONS.

Sec. 470.002. ESTABLISHMENT. The Advisory Council on Cultural Affairs is established in the office of the governor to advise the office on ***furthering the economic, social, legal, and political contributions and equality of the Hispanic population of this state.***

Sec. 470.003. COMPOSITION; TERMS. (a) The council is composed of nine members appointed as follows:

(1) one ex officio member of the legislature appointed by the speaker of the house of representatives;

(2) one ex officio member of the legislature appointed by the lieutenant governor; and

(3) seven members appointed by the governor.

(b) Members appointed by the speaker of the house and the lieutenant governor serve two-year terms. Members appointed by the governor serve four-year staggered terms, with either three or four members' terms expiring February 1 of each odd-numbered year.

(c) In making appointments to the council, the appointing officials shall attempt to ***achieve geographic representation of the Hispanic population from all areas of the state.***

(d) The governor shall designate the chair and vice chair of the council from among the members of the council.

HOUSE VERSION (IE)

SECTION 1. Subtitle E, Title 4, Government Code, is amended by adding Chapter 470 to read as follows:

CHAPTER 470. ADVISORY COUNCIL ON CULTURAL AFFAIRS

Sec. 470.001. Same as Senate version.

Sec. 470.002. ESTABLISHMENT. The Advisory Council on Cultural Affairs is established in the office of the governor to advise the office on ***the benefits to this state from the economic, social, legal, and political contributions of this state's culturally diverse population.*** [FA1(1),3rd]

Sec. 470.003. COMPOSITION; TERMS. (a) The council is composed of nine members appointed as follows:

(1) one ex officio member of the legislature appointed by the speaker of the house of representatives;

(2) one ex officio member of the legislature appointed by the lieutenant governor; and

(3) seven members appointed by the governor.

(b) Members appointed by the speaker of the house and the lieutenant governor serve two-year terms. Members appointed by the governor serve four-year staggered terms, with either three or four members' terms expiring February 1 of each odd-numbered year.

(c) In making appointments to the council, the appointing officials shall attempt to ***select individuals who reflect the cultural diversity of this state.*** [FA1(2),3rd]

(d) The governor shall designate the chair and vice chair of the council from among the members of the council.

CONFERENCE

SECTION 1. Subtitle E, Title 4, Government Code, is amended by adding Chapter 470 to read as follows:

CHAPTER 470. ADVISORY COUNCIL ON CULTURAL AFFAIRS

Sec. 470.001. Same as Senate version.

Sec. 470.002. ESTABLISHMENT. The Advisory Council on Cultural Affairs is established in the office of the governor to advise the office on ***setting policy priorities that address, and raise public awareness of, major issues affecting this state due to the rapid growth of the state's Hispanic population and other issues resulting from changes in demographics in this state as determined by the governor.***

Sec. 470.003. COMPOSITION; TERMS. (a) The council is composed of nine members appointed as follows:

(1) one ex officio member of the legislature appointed by the speaker of the house of representatives;

(2) one ex officio member of the legislature appointed by the lieutenant governor; and

(3) seven members appointed by the governor.

(b) Members appointed by the speaker of the house and the lieutenant governor serve two-year terms. Members appointed by the governor serve four-year staggered terms, with either three or four members' terms expiring February 1 of each odd-numbered year.

(c) In making appointments to the council, the appointing officials shall attempt to ***achieve representation of all areas of the state.***

(d) The governor shall designate the chair and vice chair of the council from among the members of the council.

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Sec. 470.004. MEETINGS.

Sec. 470.004. Same as Senate version.

Sec. 470.004. Same as Senate version.

Sec. 470.005. COMPENSATION.

Sec. 470.005. Same as Senate version.

Sec. 470.005. Same as Senate version.

Sec. 470.006. DUTIES. The council shall:

- (1) monitor existing programs and legislation designed to meet the needs of the Hispanic population;
- (2) serve as a liaison between the Hispanic community and the office of the governor and other governmental entities;
- (3) facilitate meetings with the Hispanic Caucus of the senate, the Mexican American Legislative Caucus of the house of representatives, and the office of the governor to address the legislative needs of the Hispanic population;
- (4) assist the secretary of state in inviting public and business leaders from Spanish-speaking countries to the state;
- (5) recommend Hispanics to serve on appointed state boards and commissions;
- (6) work with the state demographer to assess the demographic indicators and milestones of the Hispanic population;
- (7) collaborate with business organizations, stakeholders, and the Texas Workforce Commission to review state and local policies that affect business creation and expansion in order to develop policy recommendations for:
 - (A) streamlining or eliminating unnecessary barriers to business creation, retention, and expansion in order to develop greater entrepreneurship opportunities that will benefit the Hispanic population and Hispanic-owned businesses in high-need areas;
 - (B) creating a better business climate to increase job

Sec. 470.006. DUTIES. The council shall *study*:

- (1) the manner in which this state's culturally diverse population positively affects this state's import and export of goods, strengthens international trade, and promotes economic opportunity for residents of this state; and
- (2) any other related matter of importance to the council or the governor. [FA1(3),3rd]

Sec. 470.006. DUTIES. The council shall *study and make recommendations relating to the effect of the changing demographics of this state on the following areas, as they relate to this state*:

- (1) the economy;
- (2) the workplace;
- (3) educational attainment;
- (4) health;
- (5) veterans affairs; and
- (6) political leadership.

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creation, retention, and expansion opportunities for small and Hispanic-owned businesses;

(C) assisting in revitalizing the industrial, manufacturing, and high technology sectors of the state's economy to better address the needs of the Hispanic workforce; and

(D) strengthening employment opportunities to more effectively increase participation of Hispanics in well-paying jobs and lower the unemployment rate within the Hispanic population;

(8) analyze the employment policies and practices of employers in the public and private sectors in order to develop recommendations on improving equal opportunity and treatment for the Hispanic population and other minorities in employment;

(9) evaluate the development of methods and initiatives to assure fuller employment options and greater employment opportunities for Hispanics;

(10) work with the education community and the private sector to develop appropriate recommendations and initiatives relating to the following goals:

(A) retaining Hispanic students in public schools by decreasing the dropout rate;

(B) closing the education achievement gap;

(C) furthering the accomplishments of Hispanics enrolled in institutions of higher education;

(D) increasing work-study, mentorship, and financial assistance for Hispanic students;

(E) informing Hispanics about nontraditional education and employment opportunities; and

(F) evaluating programs designed to provide equal educational opportunities to the Hispanic population, as mandated by state and federal law;

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(11) review licensing and regulation requirements in the state in order to:

(A) determine the effect of those requirements on the Hispanic population's ability to enter into chosen occupations and to compete in the free market; and

(B) develop recommendations to eliminate burdensome licensing requirements that negatively affect job growth and creation within the Hispanic community and other constituencies;

(12) work with health and medical experts in the private sector and at institutions of higher education to identify pressing fundamental health concerns of the Hispanic population;

(13) address equal treatment of the Hispanic population in the educational, judicial, and health systems by:

(A) analyzing the application to the Hispanic population of the laws of this state that govern those systems;

(B) monitoring the implementation of laws that affect the legal rights and duties of the Hispanic population; and

(C) educating members of the Hispanic population about their legal rights and duties; and

(14) study and research any other related matter of importance to the council or the governor.

Sec. 470.007. RECOMMENDATIONS. (a) The council shall submit a report of the council's recommendations to the governor, lieutenant governor, and speaker of the house of representatives not later than October 1 of each even-numbered year.

(b) The council shall include in the report recommendations about:

(1) the status and funding of state programs designed to

Sec. 470.007. RECOMMENDATIONS. (a) The council shall submit a report of the council's recommendations to the governor, lieutenant governor, and speaker of the house of representatives not later than October 1 of each even-numbered year.

(b) The council shall include in the report recommendations concerning policy and statutory changes to promote and further cultural diversity and its benefits in this state.

Sec. 470.007 RECOMMENDATIONS. The council shall submit a report of the council's recommendations to the governor, lieutenant governor, and speaker of the house of representatives not later than October 1 of each even-numbered year.

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address the needs of the Hispanic population; and (2) reforms, policies, and statutory changes to further the economic, social, legal, and political contributions of Hispanics in the state.

[FA1(4),3rd]

Sec. 470.008. EXEMPTION.

Sec. 470.008. Same as Senate version.

Sec. 470.008. Same as Senate version.

Sec. 470.009. ASSISTANCE OF STATE AGENCIES.

Sec. 470.009. Same as Senate version.

Sec. 470.009. Same as Senate version.

SECTION 2. Not later than October 1, 2015, the speaker of the house of representatives, the lieutenant governor, and the governor shall appoint the members of the Advisory Council on Cultural Affairs established by Chapter 470, Government Code, as added by this Act. In appointing the initial members of the council, the governor shall appoint three persons to terms expiring February 1, 2017, and four to terms expiring February 1, 2019.

SECTION 2. Same as Senate version.

SECTION 2. Same as Senate version.

SECTION 3. Effective date.

SECTION 3. Same as Senate version.

SECTION 3. Same as Senate version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 29, 2015

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **SB459** by Lucio (Relating to the creation of the Advisory Council on Cultural Affairs in the office of the governor.), **Conference Committee Report**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend Government Code to create an Advisory Council on Cultural Affairs in the Office of the Governor to set policy priorities that address certain demographic changes in Texas. The bill would take effect immediately upon receiving two-thirds majority vote in each house. Otherwise, the bill would take effect September 1, 2015.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, FR, LBe

**Certification of Compliance with
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires a copy of a conference committee report signed by a majority of each committee of the conference to be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order under Rule 13.

I certify that a copy of the conference committee report on SB 459 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.

Carol Alvarado
(name)

5/29/15
(date)