

BILL ANALYSIS

H.B. 3705
By: Meyer
Government Transparency & Operation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested observers point out that the Sunset Advisory Commission was established to create an ongoing and regular evaluation of government effectiveness and efficiency and that state agencies subject to the Texas Sunset Act typically undergo a sunset review once every twelve years. Some observers report that by streamlining state government, the commission has been responsible for sizable savings to the state since its establishment. Other observers have expressed concerns over the frequency with which agencies are reviewed by the commission, the composition of the commission's membership, and whether the commission is meeting its intended purpose. In order to enhance the commission's effectiveness, H.B. 3705 seeks to articulate the agency's central purpose, enhance the role of the public in the review process, and increase the frequency of review for certain agencies subject to the Texas Sunset Act.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3705 amends the Government Code to establish that the primary purpose of the Sunset Advisory Commission is to review state agencies to evaluate the need for the agency and to determine whether the agency or the agency's functions should be abolished or consolidated in order to reduce the cost of state government operations. The bill changes the commission's composition by increasing from one to two the number of public members appointed by the lieutenant governor, by increasing from one to two the number of public members appointed by the speaker of the house of representatives, and by adding one public member appointed by the governor who may only vote on the commission's recommendations that do not require a statutory change. The bill requires the governor, lieutenant governor, and speaker of the house of representatives, as soon as possible after the bill's effective date, to appoint public members to serve initial terms on the commission. The bill changes from seven to eight the number of commission members that constitutes a quorum.

H.B. 3705 makes the legislature's authority to continue by law an agency or advisory committee that is subject to the Texas Sunset Act before its abolition for a period not to exceed 12 years applicable for an agency and any advisory committee if the agency has less than 200 full-time equivalent employees and authorizes the legislature to continue by law an agency or any advisory committee before its abolition for a period not to exceed eight years for an agency that has 200 or more full-time equivalent employees.

EFFECTIVE DATE

September 1, 2015.