

SUBJECT: Changing the sunset date for various state agencies

COMMITTEE: State Affairs — committee substitute recommended

VOTE: 13 ayes — Wolens, S. Turner, Bailey, Counts, Craddick, Danburg, Hunter, D. Jones, Longoria, Marchant, McCall, McClendon, Merritt

0 nays

2 absent — Brimer, Hilbert

SENATE VOTE: On final passage, April 19 — voice vote

WITNESSES: None

BACKGROUND: The Texas Sunset Act requires the Sunset Advisory Commission and the Legislature to evaluate state agencies periodically by providing for their abolition on specific dates. Most agencies are scheduled for review once every 12 years. About 200 agencies and advisory commissions are subject to the provisions of the act, and about 20 to 30 agencies go through the sunset process each legislative session. A state agency is subject to the act if a date for its review or abolishment is set by statute.

DIGEST: CSSB 309 would delay sunset review from 2003 until 2005 for the State Board of Barber Examiners, Texas Cosmetology Commission, Texas Veterans Commission, and Veterans' Land Board.

The bill would delay sunset review from 2003 until 2007 for the Texas Incentive and Productivity Commission, Risk Management Board, Texas Real Estate Commission, and Texas Structural Pest Control Board.

The bill would delay sunset review from 2003 until 2009 for the Polygraph Examiners Board.

The bill would delay sunset review from 2003 until 2011 for the Texas Department of Human Services. However, the Sunset Advisory Commission would have to perform a special purpose review of the department and report its findings to the 78th Legislature. The review would be limited to the appropriateness of the commission's recommendations to the 76th Legislature. In the report, the commission would have to include any of the prior recommendations it considered appropriate.

The bill would remove from sunset review requirements the governing board of the Texas School for the Blind and Visually Impaired, the governing board of the Texas School for the Deaf, Real Estate Research Center, Texas National Research Laboratory Commission, Governor's Advisory Committee on Immigration and Refugees, Capital Metropolitan Transportation Authority, Corpus Christi Regional Transit Authority, Harris County Metropolitan Rapid Transit Authority, and the Dallas Area Rapid Transit Authority.

The bill would take effect September 1, 2001.

**SUPPORTERS
SAY:**

SB 309 would allow the Sunset Advisory Commission to adjust its workload to bring its review of some agencies into sync with a general subject area, spread its workload more evenly for administrative purposes, and make other necessary adjustments.

The bill would delay sunset review of the State Board of Barber Examiners and Texas Cosmetology Commission until 2005 when most occupational licensing agencies are scheduled to be reviewed. It also would delay review of the Polygraph Examiners Board until 2009 when the Department of Public Safety also is scheduled for sunset review.

The bill also would delay sunset review of the Department of Human Services until 2011 in order to align its review with other health and human services agencies. However, the bill would implement a special purpose review of the agency on the implementation of recommendations from the agency's previous sunset review for the 76th Legislature. The commission would report on the special purpose review to the 78th Legislature.

The bill also would eliminate sunset review for several local transit authorities. These entities already have undergone sunset review once and

have come up for review again. These authorities are not state agencies, and the state should not expend its resources to review these local entities.

**OPPONENTS
SAY:**

The bill should not eliminate sunset review requirements for any entity subject to review requirements. These entities have been placed under sunset authority to ensure the efficient operation of their programs.

NOTES:

The Senate-passed version of the bill would delay sunset review only for the Risk Management Board and the Polygraph Examiners Board and repeal sunset requirements for the Texas National Research Laboratory Commission and the Governor's Advisory Committee on Immigration and Refugees.