

BILL ANALYSIS

Senate Research Center
78R4978 ATP-D

S.B. 1300
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As Filed

DIGEST AND PURPOSE

Currently, the Local Government Code requires the Office of the Governor to provide oversight of 24 regional planning commissions and their use and promotion of public funds; but it fails to appropriate funds to the governor's office to hire staff with the requisite skills or to contract with a third party to perform the necessary review and oversight. As proposed, S.B. 1300 transfers from the governor to the state auditor the responsibility to oversee the regional planning commissions.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the state auditor in SECTION 2 (Section 391.009, Local Government Code) and SECTION 8 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 391.009, Local Government Code, to read as follows:

Sec. 391.009. ROLE OF STATE AUDITOR AND STATE AGENCIES.

SECTION 2. Amends Sections 319.009 (a) and (b), Local Government Code, as follows:

(a) Requires the state auditor, rather than the governor, to adopt certain provisions to protect the public interest or promote the efficient use of public funds.

(b) Makes a conforming change.

SECTION 3. Amends Section 391.0095, Local Government Code, as follows:

(a) through (e) make conforming changes.

SECTION 4. Amends Section 391.0115(f), Local Government Code, to redefine "indirect costs" to make a conforming change.

SECTION 5. Amends Section 391.0117(e), Local Government Code, to make a conforming change.

SECTION 6. Amends Section 391.013(a), Local Government Code, to make a conforming change.

SECTION 7. Amends Section 391.014, Local Government Code, to make a conforming change.

SECTION 8. (a) Establishes that, on the effective date of this Act a rule, requirement, or guideline adopted by the governor relating to the oversight of regional planning commissions becomes a rule, requirement, or guideline of the state auditor's and remains in effect until amended or repealed by the state auditor; and establishes that appropriated funds withheld from a regional planning commission by the governor under Section 391.0095, Local Government Code, are transferred to the state auditor.

(b) Requires a request for advance approval by the governor under Section 391.103 or 391.014, Local Government Code, that is pending on the effective date of this Act to be submitted to the state auditor for approval.

SECTION 9. Effective date: September 1, 2003.