

BILL ANALYSIS

Senate Research Center
80R20023 TAD-F

C.S.H.B. 3249
By: Truitt et al. (Brimer)
Administration
5/14/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

State agencies undergo periodic review by the Sunset Advisory Commission (commission). The commission is guided by the Texas Sunset Act. The legislature frequently changes the review schedule for certain agencies to balance the workload of the commission, to better align the reviews of agencies by grouping them based on subject matter, and in some cases, to serve as a safety net in the event an agency sunset bill is in danger of not passing.

C.S.H.B. 3249 is the Sunset schedule bill for this session. The bill makes changes to the next three Sunset review cycles, primarily moving several agencies' reviews from 2009 to a later date. This will result in 25 agency reviews for the 2009 sunset review cycle. The bill also removes application of the Sunset Act to the Texas Military Facilities Commission.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

ARTICLE 1. ENTITIES GIVEN 2009 SUNSET DATE

SECTION 1.01. DEPARTMENT OF AGRICULTURE. Amends Section 11.003, Agriculture Code, to change the Sunset date of the Department of Agriculture to September 1, 2009, rather than September 1, 2011.

SECTION 1.02. TEXAS-ISRAEL EXCHANGE FUND BOARD. Amends Section 45.006(i), Agriculture Code, to change the Sunset date of the Texas-Israel Exchange Fund Board to September 1, 2009, rather than September 1, 2011.

SECTION 1.03. BOARD OF DIRECTORS OF THE OFFICIAL COTTON GROWERS' BOLL WEEVIL ERADICATION FOUNDATION. Amends Section 74.127(a), Agriculture Code, to change the Sunset date of the board of directors of the Official Cotton Growers' Boll Weevil Eradication Foundation to September 1, 2009, rather than September 1, 2011.

SECTION 1.04. PRESCRIBED BURNING BOARD. Amends Section 153.044, Natural Resources Code, to change the Sunset date of the Prescribed Burning Board to September 1, 2009, rather than September 1, 2011.

SECTION 1.05. PARKS AND WILDLIFE DEPARTMENT. Amends Section 11.0111, Parks and Wildlife Code, to change the Sunset date of the Parks and Wildlife Department to September 1, 2009, rather than September 1, 2013.

ARTICLE 2. ENTITIES GIVEN 2011 SUNSET DATE

SECTION 2.01 HEALTH AND HUMAN SERVICES COMMISSION. Amends Section 531.004, Government Code, to change the Sunset date of the Health and Human Services Commission to September 1, 2011, rather than September 1, 2009.

SECTION 2.02. TEXAS CANCER COUNCIL. Amends Section 102.003, Health and Safety Code, to change the Sunset date of the Texas Cancer Council to September 1, 2011, rather than September 1, 2009.

SECTION 2.03 DEPARTMENT OF STATE HEALTH SERVICES. Amends Section 1001.003, Health and Safety Code, to change the Sunset date of the Department of State Health Services to September 1, 2011, rather than September 1, 2009.

SECTION 2.04 DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES. Amends Section 40.003, Human Resources Code, to change the Sunset date of the Department of Family and Protective Services to September 1, 2011, rather than September 1, 2009.

SECTION 2.05. TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES. Amends Section 112.023, Human Resources Code, to change the Sunset date of the Texas Council for Developmental Disabilities to September 1, 2011, rather than September 1, 2009.

SECTION 2.06. GOVERNOR'S COMMITTEE ON PEOPLE WITH DISABILITIES. Amends Section 115.005, Human Resources Code, to change the Sunset date of the Governor's Committee on People with Disabilities to September 1, 2011, rather than September 1, 2009.

SECTION 2.07. DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES. Amends Section 117.003, Human Resources Code, to change the Sunset date of the Department of Assistive and Rehabilitative Services to September 1, 2011, rather than September 1, 2009.

SECTION 2.08. DEPARTMENT OF AGING AND DISABILITY SERVICES. Amends Section 161.003, Human Resources Code, to change the Sunset date of the Department of Aging and Disability Services to September 1, 2011, rather than September 1, 2009.

SECTION 2.09. TEXAS DEPARTMENT OF INSURANCE AND DIVISION OF WORKERS' COMPENSATION. Amends Section 31.004, Insurance Code, to change the Sunset date of the Texas Department of Insurance (TDI) and the duties of the division of workers' compensation of TDI under Title 5 (Workers' Compensation), Labor Code, to September 1, 2011, rather than September 1, 2009.

SECTION 2.10. OFFICE OF PUBLIC INSURANCE COUNSEL. Amends Section 501.003, Insurance Code, to change the Sunset date of the Office of Public Insurance Counsel to September 1, 2011, rather than September 1, 2009.

SECTION 2.11. OFFICE OF INJURED EMPLOYEE COUNSEL. Amends Section 404.003, Labor Code, to change the Sunset date of the Office of Injured Employee Counsel to September 1, 2011, rather than September 1, 2009.

ARTICLE 3. ENTITIES GIVEN 2013 SUNSET DATE

SECTION 3.01. STATE PRESERVATION BOARD. Amends Section 443.002, Government Code, to change the Sunset date of the State Preservation Board to September 1, 2013, rather than September 1, 2011.

SECTION 3.02. TEXAS WORKFORCE COMMISSION. Amends Section 301.008, Labor Code, to change the Sunset date of the Texas Workforce Commission to September 1, 2013, rather than September 1, 2009.

SECTION 3.03. STATE BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY. Amends Section 401.002, Occupations Code, to change the Sunset date of the State Board of Examiners for Speech-language Pathology and Audiology to September 1, 2013, rather than September 1, 2009.

SECTION 3.04. STATE COMMITTEE ON EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS. Amends Section 402.002, Occupations Code, to change the Sunset date of the State Committee on Examiners in the Fitting and Dispensing of Hearing Instruments to September 1, 2013, rather than September 1, 2009.

SECTION 3.05. EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND OCCUPATIONAL THERAPY EXAMINERS. Amends Section 452.002, Occupations Code, to change the Sunset date of the Executive Council of Physical Therapy and Occupational Therapy Examiners and this chapter (Executive Council of Physical Therapy and Occupational Therapy Examiners), Chapter 453 (Physical Therapists), and Chapter 454 (Occupational Therapists) to September 1, 2013, rather than September 1, 2009.

SECTION 3.06. TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS. Amends Section 453.002, Occupations Code, to change the Sunset date of the Texas Board of Physical Therapy Examiners to September 1, 2013, rather than September 1, 2009.

SECTION 3.07. TEXAS BOARD OF OCCUPATIONAL THERAPY EXAMINERS. Amends Section 454.003, Occupations Code, to change the Sunset date of the Texas Board of Occupational Therapy Examiners to September 1, 2013, rather than September 1, 2009.

SECTION 3.08. TEXAS BOARD OF ORTHOTICS AND PROSTHETICS. Amends Section 605.003, Occupations Code, to change the Sunset date of the Texas Board of Orthotics and Prosthetics to September 1, 2013, rather than September 1, 2009.

SECTION 3.09. SELF-DIRECTED SEMI-INDEPENDENT AGENCY PROJECT. Amends Section 4(c), Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes), to change the Sunset date of that Act to September 1, 2013, rather than September 1, 2009.

ARTICLE 4. ENTITY REMOVED FROM SPECIFIC SUNSET REVIEW

SECTION 4.01. REPEALER. Repealer: Section 435.003 (Texas Military Facilities Commission sunset provision), Government Code.

ARTICLE 5. SPECIAL PURPOSE REVIEW

SECTION 5.01. TEXAS MEDICAL BOARD. Requires the Sunset Advisory Commission (commission) to conduct a special purpose review of the Texas Medical Board (board) as part of its review of agencies for the 81st Legislature. Requires the commission's report to the 81st Legislature regarding the review of the board to include certain evaluations and recommendations as set forth in this section

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. EFFECTIVE DATE. Effective date: upon passage or September 1, 2007.