

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1602
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Government Organization
3/26/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 82nd Legislature passed S.B. 5, which began the process of streamlining higher education reporting and administrative processes and regulations to increase efficiency and eliminate unnecessary mandates. One provision of S.B. 5 provided for the elimination of rules and reports by September 1, 2013, unless legislative action preserved the need for the requirements.

C.S.S.B. 1602 retains several reports that institutions of higher education and affected agencies have reviewed and deemed still necessary. The bill also continues the efforts to reduce costs and streamline operations by eliminating, consolidating, or providing flexibility for other required reports.

C.S.S.B. 1602 amends current law relating to reports and other information required of or held by institutions of higher education.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of Information Resources in SECTION 3 (Section 2054.121, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 51.406, Education Code, by adding Subsection (d), to provide that Subsection (c) (relating to a rule of a state agency that requires reporting by a university system having no effect after September 1, 2013, unless it fulfills certain criteria) does not apply to a report required of a university system or institution of higher education under any of the following laws:

- (1) Section 62.098 (Annual Report), Education Code;
- (2) Chapter 1551 (Texas Employees Group Benefits Act), Insurance Code;
- (3) Section 51.0051 (Annual Operating Budgets), Education Code;
- (4) Subchapter C (Coverage for State Employees), Chapter 606 (Social Security), Government Code;
- (5) Subchapter E (Collection of Membership Fees and Contributions), Chapter 815 (Administration), Government Code;
- (6) Section 411.187(b) (relating to a peace officer preparing an affidavit if there is a reason for suspending a license), Government Code; and
- (7) Article 59.06(g-1) (relating to requiring law enforcement agencies that receive proceeds under this chapter to account for seizures and expenditures of all proceeds in an audit), Code of Criminal Procedure.

SECTION 2. Amends Section 772.009(g), Government Code, to require each state agency other than an institution of higher education, rather than each state agency or institution, to file an

annual report with the grant writing team established by the director of the Governor's Office of Budget and Planning concerning the agency's efforts in acquiring available discretionary federal funds during the preceding state fiscal year.

SECTION 3. Amends Section 2054.121, Government Code, by adding Subsection (f), as follows:

(f) Requires the Department of Information Resources (DIR) and the Information Technology Council for Higher Education to review all plans and reports required of an institution of higher education under this section, including plans or reports required under this chapter. Provides that, after September 1, 2014, a plan or report required of state agencies generally is not required of an institution of higher education except to the extent expressly provided by DIR rule adopted on or after September 1, 2013.

SECTION 4. Amends Subchapter Q, Chapter 361, Health & Safety Code, by adding Section 361.5061, as follows:

Sec. 361.5061. INSTITUTIONS OF HIGHER EDUCATION. Authorizes an institution of higher education required to develop a source reduction and waste minimization plan for more than one facility under this subchapter to develop and submit a single plan covering all facilities and submit a single annual report and executive summary.

SECTION 5. Amends Section 161.032, Health and Safety Code, by adding Subsection (g), authorizing the records of a medical committee of a university medical school or a health sciences center, including a joint committee, notwithstanding other requirements of this section, to be disclosed to the extent required by federal law as a condition of federal funding.

SECTION 7. Repealer: Subchapter L (Conditional Gifts From Foreign Persons), Chapter 51 (Provisions Generally Applicable to Higher Education), Education Code.

SECTION 8. Effective date: upon passage or September 1, 2013.