

BILL ANALYSIS

Senate Research Center

S.B. 1455
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of S.B. 1455 is to implement changes to certain reporting requirements of state agencies and institutions of higher education. Recommendations regarding the reporting requirements included in this legislation are the result of an extensive review conducted by the Texas State Library and Archives Commission during the interim. S.B. 1455 also reflects recommendations received by the Senate Committee on Government Organization as part of its interim charge regarding state agency reporting.

S.B. 1455 serves to ensure that our limited state resources are being committed to current state priorities rather than to reporting requirements that no longer serve their intended purpose or are redundant of other reporting requirements. Specifically, S.B. 1455 streamlines agency reporting requirements by repealing obsolete or duplicative reporting requirements, changing the frequency of some reports, and redirecting some reports to relevant recipients.

S.B. 1455 amends current law relating to certain required reports, plans, and other documents prepared by state agencies and institutions of higher education.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Higher Education Coordinating Board is modified in SECTION 4 (Section 61.0762, Education Code) of this bill.

Rulemaking authority previously granted to the Texas Higher Education Coordinating Board and the commissioner of education is rescinded in SECTION 21 (Section 61.0761, Education Code) of this bill.

Rulemaking authority previously granted to the Texas Commission on Environmental Quality is rescinded in SECTION 21 (Section 372.004, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 32.034(e), Education Code, as follows:

(e) Requires the board of directors of the center for educational technology to:

(1) and (2) Makes nonsubstantive changes.

Deletes existing Subdivision (3) requiring the board of directors of the center for educational technology to report annually on the operation, projects, and fiscal affairs of the center to the State Board of Education (SBOE) and the membership of the center.

SECTION 2. Amends Section 39.263(c), Education Code, to require the commissioner of education (commissioner) to select annually schools and districts qualified to receive successful school awards for their performance. Deletes existing text requiring the commissioner to report the selections to the governor and SBOE.

SECTION 3. Amends Section 51.752(h), Education Code, to delete existing text requiring the Legislative Budget Board (LBB) to make the annual reports required by Subsection (g) (relating to certain annual reports by the educational economic policy committee) to the presiding officers of the standing committees of the senate and the house of representatives with primary jurisdiction over the public school system.

SECTION 4. Amends Section 61.0762(a), Education Code, to require the Texas Higher Education Coordinating Board (THECB), to enhance success of students at institutions of higher education, to develop certain programs set forth.

Deletes existing text requiring THECB to implement the college readiness and success strategic action plan adopted under Section 61.0761.

SECTION 5. Amends Section 88.526(a), Education Code, to require the director of Texas AgriLife Research to distribute the report required under this subchapter to members of the Texas horse racing industry, rather than to the Texas Racing Commission and members of the Texas horse racing industry.

SECTION 6. Amends Section 72.084, Government Code, as follows:

Sec. 72.084. COURT OF APPEALS. Requires a court of appeals, each month, rather than annually, to report to the Office of Court Administration of the Texas Judicial System (office):

- (1) the number of cases filed with the court during the reporting month, rather than year;
- (2) the number of cases disposed of by the court during the reporting month, rather than year;
- (3) Makes no change to this subdivision; and
- (4) for each case disposed of during the reporting month, rather than year, by the court, the number of days from the date of submission of the case to the court until the date of disposition of the case by the court.

SECTION 7. Amends Section 531.02111(e), Government Code, to require the Health and Human Services Commission (HHSC), not later than December 1 of each even-numbered year, to submit the report to the governor, the lieutenant governor, the speaker of the house of representatives, the presiding officer of each standing committee of the senate and house of representatives having jurisdiction over health and human services issues, and the state auditor. Deletes existing text requiring the report to be submitted to the comptroller of public accounts of the State of Texas (comptroller).

SECTION 8. Amends Section 531.02112(c), Government Code, to make a conforming change.

SECTION 9. Amends Section 531.055(a), as amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, Government Code, to delete a reference to the Texas Education Agency from a list of agencies required to adopt a joint memorandum of understanding to promote a system of local-level interagency staffing groups to coordinate services for persons needing multiagency services.

SECTION 10. Amends Section 614.072(f), Government Code, to require the director of the Texas Forest Service to prepare an annual written report on the activity, status, and effectiveness of the rural volunteer fire department fund and submit the report to the lieutenant governor and the speaker of the house of representatives before September 1 of each year. Deletes existing text requiring the report to be submitted to the comptroller.

SECTION 11. Amends Section 772.009, Government Code, by amending Subsection (g) and adding Subsection (g-1), as follows:

(g) Requires each state agency other than an institution of higher education to file an annual report with the grant writing team concerning the agency's efforts to acquire, rather than in acquiring, available discretionary federal funds during the preceding state fiscal year. Changes a reference to section to subsection.

(g-1) Creates this subsection from existing text. Requires the grant writing team to:

(1) evaluate the effectiveness of each agency in acquiring discretionary federal funds during the preceding state fiscal year;

(2) report the findings of the evaluation to the governor and the LBB; and

(3) publish the report on the office of the governor's Internet website.

SECTION 12. Amends Section 2054.102, Government Code, by amending Subsection (a) and adding Subsections (a-1), (a-2), (a-3), and (a-4), as follows:

(a) Authorizes the LBB to specify procedures for submission, review, approval, and disapproval of biennial operating plans and amendments, including procedures for review or reconsideration of the LBB's disapproval of a biennial operating plan or biennial operating plan amendment. Requires the LBB to review and approve or disapprove the biennial operating plan for a state fiscal biennium on or before the 60th day after the last day of the regular legislative session held during the calendar year during which that state fiscal biennium begins, rather than requires the LBB to review and approve or disapprove the biennial operating plan or biennial operating plan amendment not later than the 60th day after the date the plan or amendment to the plan is submitted. Makes a nonsubstantive change.

(a-1) Requires the LBB, if an amendment to a biennial operating plan is submitted to the LBB on a date that falls during the period beginning September 1 of an even-numbered year and ending the last day of the following regular legislative session, to review and approve or disapprove the amendment on or before the 60th day after the last day of that regular legislative session.

(a-2) Requires the LBB, if an amendment to a biennial operating plan is submitted to the LBB on a date that falls outside of the period described by Subsection (a-1), to review and approve or disapprove the amendment on or before the 60th day after the date the amendment is submitted.

(a-3) Authorizes the LBB to extend the deadline for the LBB's action on an amendment to a biennial operating plan by the number of days the review of the amendment is delayed while LBB staff waits for the submission of additional information regarding the amendment requested by the staff as necessary for the completion of the review.

(a-4) Provides that an amendment to a biennial operating plan is considered to be approved if the LBB does not disapprove the amendment before the later of:

(1) the day following the last day of the period for approval or disapproval of the amendment as provided by Subsection (a-1) or (a-2), as applicable; or

(2) the day following the last day of the period for approval or disapproval of the amendment as extended under Subsection (a-3).

Deletes existing text providing that the plan or amendment to the plan is considered to be approved on the 61st day after the date the plan or amendment is submitted if the LBB does not disapprove the plan or amendment before that date.

SECTION 13. Amends Section 2056.002(d) Government Code, to delete existing text requiring a copy of a certain plan to be submitted to the comptroller. Makes a nonsubstantive change to renumber subdivisions accordingly.

SECTION 14. Amends Section 2056.009(b), Government Code, to delete comptroller from a required list of recipients of the long-range strategic plan for state government.

SECTION 15. Reenacts Section 2165.055, Government Code, as amended by Chapters 1153 (S.B. 211) and 1312 (S.B. 59), Acts of the 83rd Legislature, Regular Session, 2013, and amends it as follows:

Sec. 2165.055. REPORT ABOUT IMPROVEMENTS AND REPAIRS. Requires the Texas Facilities Commission (TFC), not later than December 1 of each even-numbered year, to report to the governor, rather than requiring TFC on July 1 of each even-numbered year to electronically submit a report to the governor, lieutenant governor, speaker of the house of representatives, comptroller, and the LBB, on:

(1) and (2) Makes no change to these subdivisions.

SECTION 16. Amends Section 2165.1061(h), Government Code, to delete the requirement that TFC complete a study not later than July 1 of each even-numbered year and makes no further change to this subsection.

SECTION 17. Reenacts Section 2166.101(d), Government Code, as amended by Chapters 1153 (S.B. 211) and 1312 (S.B. 59), Acts of the 83rd Legislature, Regular Session, 2013, and amends it as follows:

(d) Requires TFC to summarize its findings on the status of state-owned buildings and current information on construction costs and include the summary in the TFC master facilities plan required under Section 2166.102 (Long-Range Plan for State Agency Space Needs). Deletes existing text requiring TFC to include the summary in the master facilities plan required under Section 2166.102 in an electronically submitted report to the governor, lieutenant governor, speaker of the house of representatives, comptroller, and the LBB not later than July 1 of each even-numbered year.

SECTION 18. Amends Section 2166.102(b), Government Code, to require TFC to maintain a six-year capital planning cycles and to electronically submit a master facilities plan with the governor, the lieutenant governor, speaker of the house of representatives, the LBB, and comptroller not later than December 1, rather than before July 1, of each even-number year.

SECTION 19. Reenacts Section 2166.103(b), Government Code, as amended by Chapters 1153 (S.B. 211) and 1312 (S.B. 59), Acts of the 83rd Legislature, Regular Session, 2013, and amends it as follows:

(b) Requires TFC to identify counties in which more than 50,000 square feet of usable office space is needed and make recommendations for meeting that need, rather than requiring TFC, not later than July 1 of each even-numbered year, to electronically submit to the governor, the lieutenant governor, the speaker of the house of representatives, the comptroller, and the LBB a report identifying counties in which more than 50,000 square feet of usable office space is needed and make recommendations for meeting that need.

SECTION 20. Amends Section 2205.041, Government Code, as follows:

Sec. 2205.041. AIRCRAFT USE FORM. (a) Requires the Texas Department of Transportation (TxDOT), rather than the LBB in cooperation with the State Aircraft Pooling Board (SAPB), to prescribe:

(1) Makes no change to this subdivision;

(2) procedures for each state agency that operates an aircraft for sending the form to TxDOT, rather than SAPB and the LBB.

(b) Requires the aircraft use form to request the following information about each aircraft a state agency operates:

(1)-(6) Makes no change to these subdivisions;

(7) any other information TxDOT, rather than LBB, requires to document the proper or cost-efficient use of the aircraft.

SECTION 21. Repealer: Section 51.752(g) (requiring the Educational Economic Policy Committee to report findings to the LBB, the governor, SBOE, THECB, and the legislature), Education Code;

Repealer: Section 61.0761 (P-16 College Readiness and Success Strategic Action Plan), Education Code.

Repealer: Section 109.75(c) (requiring the commissioner of the general land office to report certain information to the board of regents), Education Code.

Repealer: Section 761.005 (Budgets), Government Code.

Repealer: Section 2166.409 (State Agency Energy Savings Program), Government Code.

Repealer: Section 372.004 (Report to Legislature), Health and Safety Code.

Repealer: Section 101.0252 (Report on Unit Costs), Human Resources Code.

Repealer: Section 162.501(c) (requiring the comptroller to make certain reports on the special fund to the legislature), Tax Code.

SECTION 22. Effective date: September 1, 2015.