

BILL ANALYSIS

Senate Research Center
86R4607 BRG-D

S.B. 401
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Business & Commerce
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 2004 (84R) created the Joint Oversight Committee (JOC) on Government Facilities. This committee is set to expire on January 8, 2019, yet the agencies have not expended all their funds. This bill would extend the expiration date six more years to September 2025.

This version is very similar to the enabling legislation (S.B. 2004 (84R)).

- It would re-establish the committee in order to review deferred maintenance plans and receive implementation updates.
- It would be made up of three house members and three senate members with the chair alternating annually between the senate and house of representatives.
- The committee will biannually provide a written report to the legislature that identifies the amount of money expended for deferred maintenance, planned deferred maintenance projects, and the status of ongoing and completed deferred maintenance projects.

Many of the rules followed by the previous JOC committee were adopted by the committee and not in the enabling legislation. This current bill would allow for that again. Also, in the JOC Interim Report, one of the charges directed the legislature to continue this committee. The report was signed by all members of the committee, both house and senate.

As proposed, S.B. 401 amends current law relating to legislative oversight of deferred maintenance projects.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Subchapter I, Chapter 2165, to read as follows:

SUBCHAPTER I. DEFERRED MAINTENANCE FUNDING

SECTION 2. Amends Subchapter I, Chapter 2165, Government Code, by adding Section 2165.404, as follows:

Sec. 2165.404. JOINT OVERSIGHT COMMITTEE ON GOVERNMENT FACILITIES.
(a) Defines "committee"

(b) Provides that the Joint Oversight Committee on Government Facilities (committee) is created to review deferred maintenance plans and receive implementation updates.

(c) Sets forth the composition of the committee.

(d) Requires the chair of the committee to alternate annually between a member of the senate appointed by the lieutenant governor and a member of the house of representatives appointed by the speaker of the house of representatives.

(e) Requires the lieutenant governor to appoint the first chair of the committee.

(f) Requires a vacancy on the committee to be filled in the same manner as the original appointment.

(g) Requires the committee biannually to provide a written report to the legislature that identifies the amount of money expended for deferred maintenance, planned deferred maintenance projects, and the status of ongoing and completed deferred maintenance projects.

(h) Requires the committee to have the powers and duties of a joint committee created by proclamation and obtain funding in the same manner as a joint committee created by proclamation.

(i) Provides that the rules adopted by the 86th Legislature for the administration of joint committees created by proclamation apply to the committee to the extent the rules are consistent with this section.

(j) Provides that the committee is abolished and this section expires on September 1, 2025.

SECTION 3. (a) Requires the lieutenant governor and the speaker of the house of representatives, if this Act receives the votes necessary for immediate effect, to make appointments to the committee not later than July 1, 2019.

(b) Requires the lieutenant governor and the speaker of the house of representatives, if this Act does not receive the votes necessary for immediate effect, to make appointments to the committee not later than September 15, 2019.

SECTION 4. Effective date: upon passage or September 1, 2019.