

- SUBJECT:** Changing or eliminating Sunset date for various state entities
- COMMITTEE:** State Affairs — committee substitute recommended
- VOTE:** 12 ayes — Cook, Giddings, Craddick, Farrar, Geren, K. King, Kuempel, Meyer, Oliveira, Paddie, E. Rodriguez, Smithee
- 0 nays
- 1 absent — Guillen
- WITNESSES:** For — (*Registered, but did not testify:* Michael Geary, Texas Conservative Coalition; Troy Alexander, Texas Medical Association)
- Against — (*Registered, but did not testify:* John Seago, Texas Right to Life)
- On — Ken Levine, Sunset Advisory Commission
- BACKGROUND:** Government Code, ch. 325, the Texas Sunset Act, requires the Sunset Advisory Commission and the Legislature to evaluate state agencies periodically by providing for their abolition on specific dates. A state agency is subject to the act if a date for its review or abolition is set by statute.
- DIGEST:** CSHB 3302 would change or eliminate Sunset review dates for various state entities and amend certain provisions governing the operation of the Sunset Advisory Commission.
- The following entities would receive a new Sunset date of September 1, 2019:
- Bandera County River Authority and Groundwater District, originally 2023;
  - Lavaca-Navidad River Authority, originally 2023; and
  - Upper Guadalupe River Authority, originally 2021.

The following entities would receive a new Sunset date of September 1, 2021:

- Texas Commission of Licensing and Regulation and the Texas Department of Licensing and Regulation, originally 2019;
- Texas State Board of Plumbing Examiners, originally 2019;
- Nueces River Authority, originally 2019;
- San Antonio River Authority, originally 2023; and
- Trinity River Authority of Texas, originally 2023.

The following entities would receive a new Sunset date of September 1, 2023:

- Lower Neches Valley Authority, originally 2021;
- Red River Authority, originally 2019; and
- Sabine River Authority, originally 2021.

The following entities would receive a new Sunset date of September 1, 2025:

- Office of State-Federal Relations, originally 2021;
- Teacher Retirement System of Texas, originally 2019;
- Texas Facilities Commission, originally 2021;
- Texas Real Estate Commission, originally 2019; and
- Texas Appraiser Licensing and Certification Board, originally 2019.

The following entities no longer would be subject to Sunset review:

- Regional Education Service Centers;
- Maternal Mortality and Morbidity Task Force;
- Palliative Care Interdisciplinary Advisory Council;
- Perinatal Advisory Council; and
- Texas Windstorm Insurance Association.

The bill would specify that the Sunset Advisory Commission was a legislative agency and that the commission would be required to prepare written reports on an entity undergoing Sunset review regarding the implementation of commission recommendations and legislation in the previous legislative session. Additionally, commission staff would be required to provide legislative services to support the passage of legislation prepared by the commission.

Under the bill, draft legislation or legislative services, in addition to working papers and all documentary information prepared by the commission staff in performing its duties to conduct a Sunset review, which currently are exempt from a request under the Texas Public Information Act, would be confidential and not subject to discovery or subpoena, or to a public information request. Any record or communication that was prepared for or by the commission and held by an agency under Sunset review also would be confidential and not subject to public disclosure requirements.

The bill would repeal a provision requiring a state agency that was abolished, reorganized, or continued to make a reasonable effort to relocate any displaced employees.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.

**NOTES:**

The companion bill, SB 310 by V. Taylor, was referred to the Senate Business and Commerce Committee on March 6.