

By: Hall, et al.

S.B. No. 612

A BILL TO BE ENTITLED

AN ACT

relating to the continuation and functions of the State Office of Risk Management.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 412, Labor Code, is amended by adding Section 412.013 to read as follows:

Sec. 412.013. REVIEW AND UPDATE OF RISK MANAGEMENT PROGRAM GUIDELINES. (a) In administering the guidelines for a comprehensive risk management program under Section 412.011(b)(4), the office must:

(1) at least biennially review the guidelines to determine whether they are appropriate and current; and

(2) at least every five years, update the guidelines to be consistent with up-to-date industry best practices and current law.

(b) In updating the guidelines under Subsection (a)(2), the office must solicit feedback from state entities concerning topics for inclusion in the guidelines and ways for making the guidelines more user-friendly.

SECTION 2. Section 412.021(f), Labor Code, is amended to read as follows:

(f) The risk management board and the office are subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and

1 this section expires September 1, 2031 ~~[2019]~~.

2 SECTION 3. Section 412.022, Labor Code, is amended by
3 amending Subsection (b) and adding Subsection (d) to read as
4 follows:

5 (b) The ~~[A]~~ training program ~~[established under this~~
6 ~~section]~~ must provide the board member with information ~~[to the~~
7 ~~member]~~ regarding:

8 (1) the law governing ~~[enabling legislation that~~
9 ~~created the office and]~~ the office's operations;

10 (2) the programs, functions, rules, and budget of the
11 office;

12 (3) the scope of and limitations on the rulemaking
13 authority of the board;

14 (4) ~~[(2)]~~ the results of the most recent formal audit
15 of the office;

16 (5) ~~[(3)]~~ the requirements of:

17 (A) laws relating to open meetings, public
18 information, administrative procedure, and disclosing conflicts of
19 interest; and

20 (B) other laws applicable to members of a state
21 policymaking body in performing their duties; and

22 (6) ~~[(4)]~~ any applicable ethics policies adopted by
23 the office or the Texas Ethics Commission.

24 (d) The director of the office shall create a training
25 manual that includes the information required by Subsection (b).
26 The director shall distribute a copy of the training manual
27 annually to each member of the board. Each member of the board

1 shall sign and submit to the director a statement acknowledging
2 that the member received and has reviewed the training manual.

3 SECTION 4. Section 412.053(b), Labor Code, is amended to
4 read as follows:

5 (b) The information shall be reported not later than the
6 60th day after [~~before~~] the last day of each fiscal year.

7 SECTION 5. Notwithstanding the time periods prescribed by
8 Section 412.013, Labor Code, as added by this Act, the State Office
9 of Risk Management shall review and update the guidelines adopted
10 by the risk management board under Section 412.011(b)(4), Labor
11 Code, not later than September 1, 2020.

12 SECTION 6. (a) Except as provided by Subsection (b) of this
13 section, Section 412.022, Labor Code, as amended by this Act,
14 applies to a member of the risk management board appointed before,
15 on, or after the effective date of this Act.

16 (b) A member of the risk management board who, before the
17 effective date of this Act, completed the training program required
18 by Section 412.022, Labor Code, as that law existed before the
19 effective date of this Act, is required to complete additional
20 training only on subjects added by this Act to the training program
21 as required by Section 412.022, Labor Code, as amended by this Act.
22 A board member described by this subsection may not vote,
23 deliberate, or be counted as a member in attendance at a meeting of
24 the board held on or after December 1, 2019, until the member
25 completes the additional training.

26 SECTION 7. This Act takes effect September 1, 2019.