

1-1 By: Birdwell, et al. S.B. No. 619  
 1-2 (In the Senate - Filed February 26, 2019; March 1, 2019,  
 1-3 read first time and referred to Committee on Natural Resources &  
 1-4 Economic Development; April 15, 2019, reported adversely, with  
 1-5 favorable Committee Substitute by the following vote: Yeas 9,  
 1-6 Nays 0; April 15, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	
1-16			X	
1-17	X			
1-18	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 619 By: Birdwell

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to the sunset review process and certain governmental  
 1-24 entities subject to that process.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 ARTICLE 1. ENTITIES GIVEN 2021 SUNSET DATE

1-27 SECTION 1.01. TEXAS A&M FOREST SERVICE. Section 88.1016,  
 1-28 Education Code, is amended to read as follows:

1-29 Sec. 88.1016. SUNSET PROVISION. The Texas A&M Forest  
 1-30 Service is subject to Chapter 325, Government Code (Texas Sunset  
 1-31 Act). Unless continued in existence as provided by that chapter,  
 1-32 the Texas A&M Forest Service is abolished September 1, 2021 [~~2023~~].

1-33 SECTION 1.02. TEACHER RETIREMENT SYSTEM OF TEXAS. Section  
 1-34 825.006, Government Code, is amended to read as follows:

1-35 Sec. 825.006. SUNSET PROVISION. The board of trustees of  
 1-36 the Teacher Retirement System of Texas is subject to review under  
 1-37 Chapter 325 (Texas Sunset Act), but is not abolished under that  
 1-38 chapter. The board shall be reviewed during the period in which  
 1-39 state agencies abolished in 2021 [~~2025~~], and every 12th year after  
 1-40 that year, are reviewed.

1-41 SECTION 1.03. ANATOMICAL BOARD OF THE STATE OF TEXAS.  
 1-42 Subchapter A, Chapter 691, Health and Safety Code, is amended by  
 1-43 adding Section 691.003 to read as follows:

1-44 Sec. 691.003. SUNSET PROVISION. The Anatomical Board of  
 1-45 the State of Texas is subject to Chapter 325, Government Code (Texas  
 1-46 Sunset Act). Unless continued in existence as provided by that  
 1-47 chapter, the board is abolished September 1, 2021.

1-48 SECTION 1.04. TEXAS RACING COMMISSION. Section  
 1-49 2021.008(a), Occupations Code, is amended to read as follows:

1-50 (a) The commission is subject to Chapter 325, Government  
 1-51 Code (Texas Sunset Act). Unless continued in existence as provided  
 1-52 by that chapter, and except as provided by Subsections (b) and (c),  
 1-53 the commission is abolished and this subtitle expires September 1,  
 1-54 2021 [~~2023~~].

1-55 ARTICLE 2. ENTITIES GIVEN 2023 SUNSET DATE

1-56 SECTION 2.01. LIMITED REVIEW OF DEPARTMENT OF FAMILY AND  
 1-57 PROTECTIVE SERVICES. Section 531.0206(a), Government Code, is  
 1-58 amended to read as follows:

1-59 (a) The Sunset Advisory Commission shall conduct a  
 1-60 limited-scope review of the commission during the state fiscal

2-1 biennium ending August 31, 2023, in the manner provided by Chapter  
2-2 325 (Texas Sunset Act). The review must provide:

2-3 (1) an update on the commission's progress with  
2-4 respect to the consolidation of the health and human services  
2-5 system mandated by this subchapter, including the commission's  
2-6 compliance with the transition plan required under Section  
2-7 531.0204;

2-8 (2) an evaluation and recommendations regarding the  
2-9 need to continue the Department of State Health Services as a state  
2-10 agency separate from the commission;

2-11 (3) an evaluation and recommendations regarding the  
2-12 need to continue the Department of Family and Protective Services  
2-13 as a state agency separate from the commission; and

2-14 (4) ~~[-3-]~~ any additional information the Sunset  
2-15 Advisory Commission determines appropriate, including information  
2-16 regarding any additional organizational changes the Sunset  
2-17 Advisory Commission recommends.

2-18 SECTION 2.02. OFFICE OF INSPECTOR GENERAL, HEALTH AND HUMAN  
2-19 SERVICES COMMISSION. (a) Section 531.102, Government Code, is  
2-20 amended by adding Subsection (y) to read as follows:

2-21 (y) The Sunset Advisory Commission shall conduct a  
2-22 special-purpose review of the overall performance of the  
2-23 commission's office of inspector general. In conducting the  
2-24 review, the Sunset Advisory Commission shall particularly focus on  
2-25 the office's investigations and the effectiveness and efficiency of  
2-26 the office's processes. The review shall be conducted during the  
2-27 period in which state agencies abolished in 2023 are reviewed. The  
2-28 office is not abolished solely because the office is not explicitly  
2-29 continued following the review required by this subsection. This  
2-30 subsection expires September 1, 2023.

2-31 (b) Section 14, Chapter 945 (S.B. 207), Acts of the 84th  
2-32 Legislature, Regular Session, 2015, is repealed.

2-33 SECTION 2.03. TEXAS INVASIVE SPECIES COORDINATING  
2-34 COMMITTEE. Section 776.007(a), Government Code, is amended to read  
2-35 as follows:

2-36 (a) The committee is subject to Chapter 325 (Texas Sunset  
2-37 Act). Unless continued in existence as provided by that chapter,  
2-38 the committee is abolished and this chapter expires September 1,  
2-39 2023 ~~[2021]~~.

2-40 SECTION 2.04. TEXAS JUVENILE JUSTICE BOARD AND TEXAS  
2-41 JUVENILE JUSTICE DEPARTMENT. Section 202.010, Human Resources  
2-42 Code, is amended to read as follows:

2-43 Sec. 202.010. SUNSET PROVISION. The Texas Juvenile Justice  
2-44 Board and the Texas Juvenile Justice Department are subject to  
2-45 Chapter 325, Government Code (Texas Sunset Act). Unless continued  
2-46 in existence as provided by that chapter, the board and the  
2-47 department are abolished September 1, 2023 ~~[2021]~~.

2-48 SECTION 2.05. DIVISION OF WORKERS' COMPENSATION, TEXAS  
2-49 DEPARTMENT OF INSURANCE. Section 31.004(b), Insurance Code, is  
2-50 amended to read as follows:

2-51 (b) Unless continued as provided by Chapter 325, Government  
2-52 Code, the duties of the division of workers' compensation of the  
2-53 Texas Department of Insurance under Title 5, Labor Code, expire  
2-54 September 1, 2023 ~~[2021]~~, or another date designated by the  
2-55 legislature.

2-56 SECTION 2.06. OFFICE OF INJURED EMPLOYEE COUNSEL. Section  
2-57 404.003, Labor Code, is amended to read as follows:

2-58 Sec. 404.003. SUNSET PROVISION. The office of injured  
2-59 employee counsel is subject to Chapter 325, Government Code (Texas  
2-60 Sunset Act). Unless continued in existence as provided by that  
2-61 chapter, the office is abolished and this chapter expires September  
2-62 1, 2023 ~~[2021]~~.

2-63 SECTION 2.07. UPPER GUADALUPE RIVER AUTHORITY. Section  
2-64 1A(a), Chapter 5, page 1062, Special Laws, Acts of the 46th  
2-65 Legislature, Regular Session, 1939, is amended to read as follows:

2-66 (a) The District is subject to review under Chapter 325,  
2-67 Government Code (Texas Sunset Act), but may not be abolished under  
2-68 that chapter. The review shall be conducted under Section 325.025,  
2-69 Government Code, as if the District were a state agency scheduled to

3-1 be abolished September 1, 2023 [~~2021~~], and every 12th year after  
3-2 that year.

3-3 ARTICLE 3. ENTITIES GIVEN 2025 SUNSET DATE

3-4 SECTION 3.01. STATE COMMISSION ON JUDICIAL CONDUCT.  
3-5 Section 33.003, Government Code, is amended to read as follows:

3-6 Sec. 33.003. SUNSET PROVISION. The State Commission on  
3-7 Judicial Conduct is subject to review under Chapter 325 (Texas  
3-8 Sunset Act), but is not abolished under that chapter. The  
3-9 commission shall be reviewed during the period in which state  
3-10 agencies abolished in 2025, [~~2023~~] and every 12th year after that  
3-11 year, [~~2023~~] are reviewed.

3-12 SECTION 3.02. JUDICIAL BRANCH CERTIFICATION COMMISSION.  
3-13 Section 152.001, Government Code, is amended to read as follows:

3-14 Sec. 152.001. SUNSET PROVISION. The Judicial Branch  
3-15 Certification Commission is subject to Chapter 325 (Texas Sunset  
3-16 Act), but is not abolished under that chapter. The commission shall  
3-17 be reviewed during the period in which state agencies abolished in  
3-18 2025, [~~2023~~] and every 12th year after that year, [~~2023~~] are  
3-19 reviewed.

3-20 SECTION 3.03. TEXAS BOARD OF CRIMINAL JUSTICE AND TEXAS  
3-21 DEPARTMENT OF CRIMINAL JUSTICE. Section 492.012, Government Code,  
3-22 is amended to read as follows:

3-23 Sec. 492.012. SUNSET PROVISION. The Texas Board of  
3-24 Criminal Justice and the Texas Department of Criminal Justice are  
3-25 subject to Chapter 325 (Texas Sunset Act). Unless continued in  
3-26 existence as provided by that chapter, the board and the department  
3-27 are abolished September 1, 2025 [~~2021~~].

3-28 SECTION 3.04. DEPARTMENT OF INFORMATION RESOURCES. Section  
3-29 2054.005(a), Government Code, is amended to read as follows:

3-30 (a) The Department of Information Resources is subject to  
3-31 Chapter 325 (Texas Sunset Act). Unless continued in existence as  
3-32 provided by that chapter, the department is abolished and this  
3-33 chapter expires September 1, 2025 [~~2021~~].

3-34 SECTION 3.05. ANGELINA AND NECHES RIVER AUTHORITY. Section  
3-35 8501.0015(a), Special District Local Laws Code, is amended to read  
3-36 as follows:

3-37 (a) The authority is subject to review under Chapter 325,  
3-38 Government Code (Texas Sunset Act), but may not be abolished under  
3-39 that chapter. The review shall be conducted under Section 325.025,  
3-40 Government Code, as if the authority were a state agency scheduled  
3-41 to be abolished September 1, 2025 [~~2023~~], and every 12th year after  
3-42 that year.

3-43 SECTION 3.06. LOWER NECHES VALLEY AUTHORITY. Section  
3-44 8504.0021(a), Special District Local Laws Code, is amended to read  
3-45 as follows:

3-46 (a) The authority is subject to review under Chapter 325,  
3-47 Government Code (Texas Sunset Act), but may not be abolished under  
3-48 that chapter. The review shall be conducted under Section 325.025,  
3-49 Government Code, as if the authority were a state agency scheduled  
3-50 to be abolished September 1, 2025 [~~2021~~], and every 12th year after  
3-51 that year.

3-52 SECTION 3.07. PUBLIC UTILITY COMMISSION OF TEXAS. Section  
3-53 12.005, Utilities Code, is amended to read as follows:

3-54 Sec. 12.005. APPLICATION OF SUNSET ACT. The Public Utility  
3-55 Commission of Texas is subject to Chapter 325, Government Code  
3-56 (Texas Sunset Act). Unless continued in existence as provided by  
3-57 that chapter or by Chapter 39, the commission is abolished and this  
3-58 title expires September 1, 2025 [~~2023~~].

3-59 SECTION 3.08. OFFICE OF PUBLIC UTILITY COUNSEL. Section  
3-60 13.002, Utilities Code, is amended to read as follows:

3-61 Sec. 13.002. APPLICATION OF SUNSET ACT. The Office of  
3-62 Public Utility Counsel is subject to Chapter 325, Government Code  
3-63 (Texas Sunset Act). Unless continued in existence as provided by  
3-64 that chapter, the office is abolished and this chapter expires  
3-65 September 1, 2025 [~~2023~~].

3-66 SECTION 3.09. SABINE RIVER AUTHORITY OF TEXAS. Section  
3-67 2A(a), Chapter 110, Acts of the 51st Legislature, Regular Session,  
3-68 1949, is amended to read as follows:

3-69 (a) The district is subject to review under Chapter 325,

4-1 Government Code (Texas Sunset Act), but may not be abolished under  
 4-2 that chapter. The review shall be conducted under Section 325.025,  
 4-3 Government Code, as if the district were a state agency scheduled to  
 4-4 be abolished September 1, 2025 [~~2021~~], and every 12th year after  
 4-5 that year.

4-6 SECTION 3.10. TRINITY RIVER AUTHORITY OF TEXAS. Section  
 4-7 1A(a), Chapter 518, Acts of the 54th Legislature, Regular Session,  
 4-8 1955, is amended to read as follows:

4-9 (a) The Authority is subject to review under Chapter 325,  
 4-10 Government Code (Texas Sunset Act), but may not be abolished under  
 4-11 that chapter. The review shall be conducted under Section 325.025,  
 4-12 Government Code, as if the Authority were a state agency scheduled  
 4-13 to be abolished September 1, 2025 [~~2023~~], and every 12th year after  
 4-14 that year.

4-15 ARTICLE 4. ENTITIES GIVEN 2027 SUNSET DATE

4-16 SECTION 4.01. TEXAS EDUCATION AGENCY. Section 7.004,  
 4-17 Education Code, is amended to read as follows:

4-18 Sec. 7.004. SUNSET PROVISION. The Texas Education Agency  
 4-19 is subject to Chapter 325, Government Code (Texas Sunset Act).  
 4-20 Unless continued in existence as provided by that chapter, the  
 4-21 agency is abolished September 1, 2027 [~~2025~~].

4-22 SECTION 4.02. EXPANDED LEARNING OPPORTUNITIES COUNCIL.  
 4-23 Section 33.254, Education Code, is amended to read as follows:

4-24 Sec. 33.254. SUNSET PROVISION. The council is subject to  
 4-25 Chapter 325, Government Code (Texas Sunset Act). Unless continued  
 4-26 in existence as provided by that chapter, the council is abolished  
 4-27 and this subchapter expires September 1, 2027 [~~2023~~].

4-28 SECTION 4.03. TEXAS CIVIL COMMITMENT OFFICE. Section  
 4-29 420A.004, Government Code, is amended to read as follows:

4-30 Sec. 420A.004. SUNSET PROVISION. The Texas Civil  
 4-31 Commitment Office is subject to Chapter 325 (Texas Sunset Act).  
 4-32 Unless continued in existence as provided by that chapter, the  
 4-33 office is abolished and this chapter expires September 1, 2027  
 4-34 [~~2023~~].

4-35 SECTION 4.04. TEXAS FACILITIES COMMISSION. Section  
 4-36 2152.002, Government Code, is amended to read as follows:

4-37 Sec. 2152.002. SUNSET PROVISION. The Texas Facilities  
 4-38 Commission is subject to Chapter 325 (Texas Sunset Act). Unless  
 4-39 continued in existence as provided by that chapter, the commission  
 4-40 is abolished and this subtitle, except for Chapter 2170 and Section  
 4-41 2157.121, expires September 1, 2027 [~~2021~~].

4-42 SECTION 4.05. MATERNAL MORTALITY AND MORBIDITY TASK FORCE.  
 4-43 Section 34.018, Health and Safety Code, is amended to read as  
 4-44 follows:

4-45 Sec. 34.018. SUNSET PROVISION. The task force is subject to  
 4-46 Chapter 325, Government Code (Texas Sunset Act). Unless continued  
 4-47 in existence as provided by that chapter, the task force is  
 4-48 abolished and this chapter expires September 1, 2027 [~~2023~~].

4-49 SECTION 4.06. PUBLIC HEALTH FUNDING AND POLICY COMMITTEE.  
 4-50 Section 117.002, Health and Safety Code, is amended to read as  
 4-51 follows:

4-52 Sec. 117.002. APPLICATION OF SUNSET ACT. The Public Health  
 4-53 Funding and Policy Committee is subject to Chapter 325, Government  
 4-54 Code (Texas Sunset Act). Unless continued in existence as provided  
 4-55 by that chapter, the committee is abolished and this chapter  
 4-56 expires September 1, 2027 [~~2023~~].

4-57 SECTION 4.07. PERINATAL ADVISORY COUNCIL. Section  
 4-58 241.187(1), Health and Safety Code, is amended to read as follows:

4-59 (1) The advisory council is subject to Chapter 325,  
 4-60 Government Code (Texas Sunset Act). Unless continued in existence  
 4-61 as provided by that chapter, the advisory council is abolished and  
 4-62 this section expires September 1, 2027 [~~2025~~].

4-63 SECTION 4.08. DEPARTMENT OF STATE HEALTH SERVICES. Section  
 4-64 1001.003, Health and Safety Code, is amended to read as follows:

4-65 Sec. 1001.003. SUNSET PROVISION. The Department of State  
 4-66 Health Services is subject to Chapter 325, Government Code (Texas  
 4-67 Sunset Act). Unless continued in existence as provided by that  
 4-68 chapter, the department is abolished and this chapter expires  
 4-69 September 1, 2027 [~~2023~~].

5-1 SECTION 4.09. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES.  
 5-2 Section 40.003, Human Resources Code, is amended to read as  
 5-3 follows:

5-4 Sec. 40.003. SUNSET PROVISION. The Department of Family  
 5-5 and Protective Services is subject to Chapter 325, Government Code  
 5-6 (Texas Sunset Act). Unless continued in existence as provided by  
 5-7 that chapter, the department is abolished and this chapter expires  
 5-8 September 1, 2027 [~~2023~~].

5-9 SECTION 4.10. STATE USE PROGRAM, TEXAS WORKFORCE  
 5-10 COMMISSION. Section 122.0012(b), Human Resources Code, is amended  
 5-11 to read as follows:

5-12 (b) The Texas Workforce Commission's authority to  
 5-13 administer and oversee the program administered under this chapter  
 5-14 is subject to Chapter 325, Government Code (Texas Sunset Act).  
 5-15 Notwithstanding any other law, that authority expires September 1,  
 5-16 2027 [~~2021~~], unless continued in existence as provided by Chapter  
 5-17 325, Government Code.

5-18 ARTICLE 5. ENTITY GIVEN 2029 SUNSET DATE

5-19 SECTION 5.01. TEXAS EMERGENCY SERVICES RETIREMENT SYSTEM.  
 5-20 Section 865.0011, Government Code, is amended to read as follows:

5-21 Sec. 865.0011. SUNSET REVIEW. The state board of the  
 5-22 pension system is subject to review under Chapter 325 (Texas Sunset  
 5-23 Act) but is not abolished under that chapter. The state board shall  
 5-24 be reviewed during the period in which state agencies scheduled to  
 5-25 be abolished in 2029 [~~2025~~], and every 12th year after that year,  
 5-26 are reviewed.

5-27 ARTICLE 6. ENTITIES REMOVED FROM SPECIFIC SUNSET REVIEW

5-28 SECTION 6.01. REGIONAL EDUCATION SERVICE CENTERS. The  
 5-29 following laws are repealed:

- 5-30 (1) Section 8.010, Education Code; and
- 5-31 (2) Section 2(b), Chapter 916 (S.B. 1404), Acts of the  
 5-32 85th Legislature, Regular Session, 2017.

5-33 SECTION 6.02. EVALUATION OF STATE PROCUREMENT SYSTEM.  
 5-34 Section 2151.0042, Government Code, is repealed.

5-35 SECTION 6.03. STATE USE PROGRAM, TEXAS COMPTROLLER OF  
 5-36 PUBLIC ACCOUNTS. Section 122.0012(a), Human Resources Code, is  
 5-37 repealed.

5-38 SECTION 6.04. INTERMUNICIPAL COMMUTER RAIL DISTRICTS.  
 5-39 Section 173.005, Transportation Code, is repealed.

5-40 ARTICLE 7. SUNSET REVIEW PROCESS

5-41 SECTION 7.01. DEFINITIONS. Section 325.002(1), Government  
 5-42 Code, is amended to read as follows:

5-43 (1) "State agency" means an entity [~~agency~~] expressly  
 5-44 made subject to this chapter.

5-45 SECTION 7.02. SUNSET ADVISORY COMMISSION. Section 325.003,  
 5-46 Government Code, is amended by amending Subsection (a) and adding  
 5-47 Subsection (a-1) to read as follows:

5-48 (a) The Sunset Advisory Commission is a legislative agency  
 5-49 that consists of five members of the senate and one public member  
 5-50 appointed by the lieutenant governor and five members of the house  
 5-51 of representatives and one public member appointed by the speaker  
 5-52 of the house. The lieutenant governor and the speaker of the house  
 5-53 may serve as one of the legislative appointees.

5-54 (a-1) A public member acts on behalf of the legislature when  
 5-55 participating on the commission in furtherance of the legislature's  
 5-56 duty to provide oversight of executive branch agencies'  
 5-57 implementation of legislative priorities.

5-58 SECTION 7.03. RECOMMENDATIONS. Section 325.0126,  
 5-59 Government Code, is amended to read as follows:

5-60 Sec. 325.0126. MONITORING OF RECOMMENDATIONS. During each  
 5-61 legislative session, the staff of the commission shall:

5-62 (1) monitor legislation affecting agencies that have  
 5-63 undergone sunset review immediately before the legislative  
 5-64 session;

5-65 (2) notify [~~and shall periodically report to~~] the  
 5-66 members of the commission about any amendment to the legislation  
 5-67 prepared under Section 325.012(c) that modifies the commission's  
 5-68 [on proposed changes which would modify prior] recommendations for  
 5-69 a state agency; and

6-1 (3) provide legislative services to support the  
6-2 passage of the legislation prepared under Section 325.012(c) [~~of~~  
6-3 ~~the commission~~].

6-4 ARTICLE 8. EFFECTIVE DATE

6-5 SECTION 8.01. EFFECTIVE DATE. This Act takes effect  
6-6 immediately if it receives a vote of two-thirds of all the members  
6-7 elected to each house, as provided by Section 39, Article III, Texas  
6-8 Constitution. If this Act does not receive the vote necessary for  
6-9 immediate effect, this Act takes effect September 1, 2019.

6-10 \* \* \* \* \*