

1-1 By: Schwertner S.B. No. 1659
 1-2 (In the Senate - Filed March 6, 2023; March 16, 2023, read
 1-3 first time and referred to Committee on Business & Commerce;
 1-4 April 12, 2023, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 11, Nays 0; April 12, 2023,
 1-6 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. 1659 By: Schwertner

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 2029 SUNSET DATE

1-27 SECTION 1.01. TEXAS EDUCATION AGENCY. Section 7.004(a),
 1-28 Education Code, is amended to read as follows:

1-29 (a) The Texas Education Agency is subject to Chapter 325,
 1-30 Government Code (Texas Sunset Act). Unless continued in existence
 1-31 as provided by that chapter, the agency is abolished September 1,
 1-32 2029 [~~2027~~].

1-33 SECTION 1.02. EXPANDED LEARNING OPPORTUNITIES COUNCIL.
 1-34 Section 33.254, Education Code, is amended to read as follows:

1-35 Sec. 33.254. SUNSET PROVISION. The council is subject to
 1-36 Chapter 325, Government Code (Texas Sunset Act). Unless continued
 1-37 in existence as provided by that chapter, the council is abolished
 1-38 and this subchapter expires September 1, 2029 [~~2027~~].

1-39 SECTION 1.03. TEXAS HIGHER EDUCATION COORDINATING BOARD.
 1-40 Section 61.0211, Education Code, is amended to read as follows:

1-41 Sec. 61.0211. SUNSET PROVISION. The Texas Higher Education
 1-42 Coordinating Board is subject to Chapter 325, Government Code
 1-43 (Texas Sunset Act). Unless continued in existence as provided by
 1-44 that chapter, the board is abolished and this chapter expires
 1-45 September 1, 2029 [~~2025~~].

1-46 SECTION 1.04. STATE COMMISSION ON JUDICIAL CONDUCT.
 1-47 Section 33.003, Government Code, is amended to read as follows:

1-48 Sec. 33.003. SUNSET PROVISION. The State Commission on
 1-49 Judicial Conduct is subject to review under Chapter 325 (Texas
 1-50 Sunset Act), but is not abolished under that chapter. The
 1-51 commission shall be reviewed during the period in which state
 1-52 agencies abolished in 2029 [~~2025~~], and every 12th year after that
 1-53 year, are reviewed.

1-54 SECTION 1.05. JUDICIAL BRANCH CERTIFICATION COMMISSION.
 1-55 Section 152.001, Government Code, is amended to read as follows:

1-56 Sec. 152.001. SUNSET PROVISION. The Judicial Branch
 1-57 Certification Commission is subject to Chapter 325 (Texas Sunset
 1-58 Act), but is not abolished under that chapter. The commission shall
 1-59 be reviewed during the period in which state agencies abolished in
 1-60 2029 [~~2025~~], and every 12th year after that year, are reviewed.

2-1 SECTION 1.06. STATE PRESERVATION BOARD. Section 443.002,
2-2 Government Code, is amended to read as follows:
2-3 Sec. 443.002. SUNSET PROVISION. The State Preservation
2-4 Board is subject to Chapter 325 (Texas Sunset Act). Unless
2-5 continued in existence as provided by that chapter, the board is
2-6 abolished and this chapter expires September 1, 2029 [~~2025~~].
2-7 SECTION 1.07. STATE PENSION REVIEW BOARD. Section 801.107,
2-8 Government Code, is amended to read as follows:
2-9 Sec. 801.107. SUNSET PROVISION. The State Pension Review
2-10 Board is subject to Chapter 325 (Texas Sunset Act). Unless
2-11 continued in existence as provided by that chapter, the board is
2-12 abolished and this chapter expires September 1, 2029 [~~2025~~].
2-13 SECTION 1.08. TEXAS PUBLIC FINANCE AUTHORITY. Section
2-14 1232.072, Government Code, is amended to read as follows:
2-15 Sec. 1232.072. SUNSET PROVISION. The Texas Public Finance
2-16 Authority is subject to Chapter 325 (Texas Sunset Act). Unless
2-17 continued in existence as provided by that chapter, the authority
2-18 is abolished and this chapter expires September 1, 2029 [~~2027~~].
2-19 SECTION 1.09. DEPARTMENT OF INFORMATION RESOURCES. Section
2-20 2054.005, Government Code, is amended to read as follows:
2-21 Sec. 2054.005. SUNSET PROVISION. [~~(a)~~] The Department of
2-22 Information Resources is subject to Chapter 325 (Texas Sunset Act).
2-23 Unless continued in existence as provided by that chapter, the
2-24 department is abolished and this chapter expires September 1, 2029
2-25 [~~2025~~].
2-26 SECTION 1.10. TEXAS FACILITIES COMMISSION. Section
2-27 2152.002, Government Code, is amended to read as follows:
2-28 Sec. 2152.002. SUNSET PROVISION. The Texas Facilities
2-29 Commission is subject to Chapter 325 (Texas Sunset Act). Unless
2-30 continued in existence as provided by that chapter, the commission
2-31 is abolished and this subtitle, except for Chapter 2170 and Section
2-32 2157.121, expires September 1, 2029 [~~2027~~].
2-33 SECTION 1.11. TEXAS STATE AFFORDABLE HOUSING CORPORATION.
2-34 Section 2306.5521, Government Code, is amended to read as follows:
2-35 Sec. 2306.5521. SUNSET PROVISION. The Texas State
2-36 Affordable Housing Corporation is subject to Chapter 325 (Texas
2-37 Sunset Act). Unless continued in existence as provided by that
2-38 chapter, the corporation is abolished and this subchapter expires
2-39 September 1, 2029 [~~2027~~].
2-40 SECTION 1.12. COMMISSION ON STATE EMERGENCY
2-41 COMMUNICATIONS. Section 771.032, Health and Safety Code, is
2-42 amended to read as follows:
2-43 Sec. 771.032. APPLICATION OF SUNSET ACT. The Commission on
2-44 State Emergency Communications is subject to Chapter 325,
2-45 Government Code (Texas Sunset Act). Unless continued in existence
2-46 as provided by that chapter, the commission is abolished and this
2-47 chapter expires September 1, 2029 [~~2027~~].
2-48 ARTICLE 2. ENTITIES GIVEN 2033 SUNSET DATE
2-49 SECTION 2.01. PEDIATRIC ACUTE-ONSET NEUROPSYCHIATRIC
2-50 SYNDROME ADVISORY COUNCIL. Section 119A.009, Health and Safety
2-51 Code, is amended to read as follows:
2-52 Sec. 119A.009. SUNSET PROVISION. The Pediatric Acute-Onset
2-53 Neuropsychiatric Syndrome Advisory Council is subject to Chapter
2-54 325, Government Code (Texas Sunset Act). Unless continued in
2-55 existence as provided by that chapter, the advisory council is
2-56 abolished and this chapter expires September 1, 2033 [~~2031~~].
2-57 SECTION 2.02. TEXAS MEDICAL BOARD. Section 151.004,
2-58 Occupations Code, is amended to read as follows:
2-59 Sec. 151.004. APPLICATION OF SUNSET ACT. The Texas Medical
2-60 Board is subject to Chapter 325, Government Code (Texas Sunset
2-61 Act). Unless continued in existence as provided by that chapter,
2-62 the board is abolished and this subtitle and Chapters 204, 205, 206,
2-63 601, 602, 603, and 604 expire September 1, 2033 [~~2031~~].
2-64 SECTION 2.03. TEXAS BOARD OF CHIROPRACTIC EXAMINERS.
2-65 Section 201.004, Occupations Code, is amended to read as follows:
2-66 Sec. 201.004. APPLICATION OF SUNSET ACT. The Texas Board of
2-67 Chiropractic Examiners is subject to Chapter 325, Government Code
2-68 (Texas Sunset Act). Unless continued in existence as provided by
2-69 that chapter, the board is abolished and this chapter expires

3-1 September 1, 2033 [~~2029~~].
3-2 SECTION 2.04. STATE BOARD OF DENTAL EXAMINERS. Section
3-3 251.005, Occupations Code, is amended to read as follows:
3-4 Sec. 251.005. APPLICATION OF SUNSET ACT. The State Board of
3-5 Dental Examiners is subject to Chapter 325, Government Code (Texas
3-6 Sunset Act). Unless continued in existence as provided by that
3-7 chapter, the board is abolished September 1, 2033 [~~2029~~].
3-8 SECTION 2.05. TEXAS BOARD OF NURSING. Section 301.003,
3-9 Occupations Code, is amended to read as follows:
3-10 Sec. 301.003. APPLICATION OF SUNSET ACT. The Texas Board of
3-11 Nursing is subject to Chapter 325, Government Code (Texas Sunset
3-12 Act). Unless continued in existence as provided by that chapter,
3-13 the board is abolished September 1, 2033 [~~2029~~].
3-14 SECTION 2.06. TEXAS OPTOMETRY BOARD. Section 351.004,
3-15 Occupations Code, is amended to read as follows:
3-16 Sec. 351.004. SUNSET PROVISION. The Texas Optometry Board
3-17 is subject to Chapter 325, Government Code (Texas Sunset Act).
3-18 Unless continued in existence as provided by that chapter, the
3-19 board is abolished and this chapter expires September 1, 2033
3-20 [~~2029~~].
3-21 SECTION 2.07. EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND
3-22 OCCUPATIONAL THERAPY EXAMINERS. Section 452.002, Occupations
3-23 Code, is amended to read as follows:
3-24 Sec. 452.002. APPLICATION OF SUNSET ACT. The Executive
3-25 Council of Physical Therapy and Occupational Therapy Examiners is
3-26 subject to Chapter 325, Government Code (Texas Sunset Act). Unless
3-27 continued in existence as provided by that chapter, the executive
3-28 council is abolished and the following laws expire September 1,
3-29 2033 [~~2029~~]:
3-30 (1) this chapter;
3-31 (2) Chapter 453; and
3-32 (3) Chapter 454.
3-33 SECTION 2.08. TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS.
3-34 Section 453.002, Occupations Code, is amended to read as follows:
3-35 Sec. 453.002. APPLICATION OF SUNSET ACT. The Texas Board of
3-36 Physical Therapy Examiners is subject to Chapter 325, Government
3-37 Code (Texas Sunset Act). Unless continued in existence as provided
3-38 by that chapter, the board is abolished and this chapter expires
3-39 September 1, 2033 [~~2029~~].
3-40 SECTION 2.09. TEXAS BOARD OF OCCUPATIONAL THERAPY
3-41 EXAMINERS. Section 454.003, Occupations Code, is amended to read
3-42 as follows:
3-43 Sec. 454.003. APPLICATION OF SUNSET ACT. The Texas Board of
3-44 Occupational Therapy Examiners is subject to Chapter 325,
3-45 Government Code (Texas Sunset Act). Unless continued in existence
3-46 as provided by that chapter, the board is abolished and this chapter
3-47 expires September 1, 2033 [~~2029~~].
3-48 SECTION 2.10. TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL.
3-49 Section 507.002, Occupations Code, is amended to read as follows:
3-50 Sec. 507.002. APPLICATION OF SUNSET ACT. The Texas
3-51 Behavioral Health Executive Council is subject to Chapter 325,
3-52 Government Code (Texas Sunset Act). Unless continued in existence
3-53 as provided by that chapter, the executive council is abolished and
3-54 this chapter and Chapters 501, 502, 503, and 505 expire September 1,
3-55 2033 [~~2029~~].
3-56 SECTION 2.11. TEXAS STATE BOARD OF PHARMACY. Section
3-57 551.005, Occupations Code, is amended to read as follows:
3-58 Sec. 551.005. APPLICATION OF SUNSET ACT. The Texas State
3-59 Board of Pharmacy is subject to Chapter 325, Government Code (Texas
3-60 Sunset Act). Unless continued in existence as provided by that
3-61 chapter, the board is abolished and this subtitle expires September
3-62 1, 2033 [~~2029~~].
3-63 SECTION 2.12. TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY.
3-64 Section 901.006, Occupations Code, is amended to read as follows:
3-65 Sec. 901.006. APPLICATION OF SUNSET ACT. The Texas State
3-66 Board of Public Accountancy is subject to Chapter 325, Government
3-67 Code (Texas Sunset Act). Unless continued in existence as provided
3-68 by that chapter, the board is abolished and this chapter expires
3-69 September 1, 2033 [~~2031~~].

4-1 SECTION 2.13. TEXAS BOARD OF PROFESSIONAL ENGINEERS AND
 4-2 LAND SURVEYORS. Section 1001.005, Occupations Code, is amended to
 4-3 read as follows:

4-4 Sec. 1001.005. APPLICATION OF SUNSET ACT. The Texas Board
 4-5 of Professional Engineers and Land Surveyors is subject to Chapter
 4-6 325, Government Code (Texas Sunset Act). Unless continued in
 4-7 existence as provided by that chapter, the board is abolished and
 4-8 this chapter expires September 1, 2033 [~~2025~~].

4-9 SECTION 2.14. TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS.
 4-10 Section 1002.003, Occupations Code, is amended to read as follows:

4-11 Sec. 1002.003. APPLICATION OF SUNSET ACT. The Texas Board
 4-12 of Professional Geoscientists is subject to Chapter 325, Government
 4-13 Code (Texas Sunset Act). Unless continued in existence as provided
 4-14 by that chapter, the board is abolished and this chapter expires
 4-15 September 1, 2033 [~~2025~~].

4-16 SECTION 2.15. TEXAS BOARD OF ARCHITECTURAL EXAMINERS.
 4-17 Section 1051.003, Occupations Code, is amended to read as follows:

4-18 Sec. 1051.003. APPLICATION OF SUNSET ACT. The Texas Board
 4-19 of Architectural Examiners is subject to Chapter 325, Government
 4-20 Code (Texas Sunset Act). Unless continued in existence as provided
 4-21 by that chapter, the board is abolished and this subtitle expires
 4-22 September 1, 2033 [~~2025~~].

4-23 SECTION 2.16. TEXAS REAL ESTATE COMMISSION. Section
 4-24 1101.006, Occupations Code, is amended to read as follows:

4-25 Sec. 1101.006. APPLICATION OF SUNSET ACT. The Texas Real
 4-26 Estate Commission is subject to Chapter 325, Government Code (Texas
 4-27 Sunset Act). Unless continued in existence as provided by that
 4-28 chapter, the commission is abolished and this chapter and Chapter
 4-29 1102 of this code and Chapter 221, Property Code, expire September
 4-30 1, 2033 [~~2031~~].

4-31 SECTION 2.17. TEXAS APPRAISER LICENSING AND CERTIFICATION
 4-32 BOARD. Section 1103.006, Occupations Code, is amended to read as
 4-33 follows:

4-34 Sec. 1103.006. APPLICATION OF SUNSET ACT. The Texas
 4-35 Appraiser Licensing and Certification Board is subject to Chapter
 4-36 325, Government Code (Texas Sunset Act). Unless continued in
 4-37 existence as provided by that chapter, the board is abolished and
 4-38 this chapter and Chapter 1104 expire September 1, 2033 [~~2031~~].

4-39 SECTION 2.18. TEXAS STATE BOARD OF PLUMBING EXAMINERS.
 4-40 Section 1301.003, Occupations Code, is amended to read as follows:

4-41 Sec. 1301.003. APPLICATION OF SUNSET ACT. The Texas State
 4-42 Board of Plumbing Examiners is subject to Chapter 325, Government
 4-43 Code (Texas Sunset Act). Unless continued in existence as provided
 4-44 by that chapter, the board is abolished and this chapter expires
 4-45 September 1, 2033 [~~2027~~].

4-46 ARTICLE 3. ENTITIES GIVEN 2035 SUNSET DATE

4-47 SECTION 3.01. DEPARTMENT OF AGRICULTURE. Section 11.003,
 4-48 Agriculture Code, is amended to read as follows:

4-49 Sec. 11.003. SUNSET PROVISION. The Department of
 4-50 Agriculture is subject to Chapter 325, Government Code (Texas
 4-51 Sunset Act). Unless continued in existence as provided by that
 4-52 chapter, the department is abolished September 1, 2035 [~~2033~~].

4-53 SECTION 3.02. BOARD OF DIRECTORS OF THE OFFICIAL COTTON
 4-54 GROWERS' BOLL WEEVIL ERADICATION FOUNDATION. Section 74.127(a),
 4-55 Agriculture Code, is amended to read as follows:

4-56 (a) The board of directors of the official cotton growers'
 4-57 boll weevil eradication foundation is subject to Chapter 325,
 4-58 Government Code (Texas Sunset Act). Unless continued in existence
 4-59 as provided by that chapter, the board is abolished September 1,
 4-60 2035 [~~2033~~].

4-61 SECTION 3.03. TEXAS ANIMAL HEALTH COMMISSION. Section
 4-62 161.027, Agriculture Code, is amended to read as follows:

4-63 Sec. 161.027. SUNSET PROVISION. The Texas Animal Health
 4-64 Commission is subject to Chapter 325, Government Code (Texas Sunset
 4-65 Act). Unless continued in existence as provided by that chapter,
 4-66 the commission is abolished September 1, 2035 [~~2033~~].

4-67 SECTION 3.04. PREPAID HIGHER EDUCATION TUITION BOARD.
 4-68 Section 54.603, Education Code, is amended to read as follows:

4-69 Sec. 54.603. SUNSET PROVISION. The Prepaid Higher

5-1 Education Tuition Board is subject to Chapter 325, Government Code
 5-2 (Texas Sunset Act). Unless continued in existence as provided by
 5-3 that chapter, the board is abolished September 1, 2035 [~~2033~~].
 5-4 SECTION 3.05. CREDIT UNION DEPARTMENT. Section 15.212,
 5-5 Finance Code, is amended to read as follows:
 5-6 Sec. 15.212. SUNSET PROVISION. The Credit Union Department
 5-7 and the Credit Union Commission are subject to Chapter 325,
 5-8 Government Code (Texas Sunset Act). Unless continued in existence
 5-9 as provided by that chapter, the department and commission are
 5-10 abolished September 1, 2035 [~~2033~~].
 5-11 SECTION 3.06. TEXAS COMMISSION ON FIRE PROTECTION. Section
 5-12 419.003, Government Code, is amended to read as follows:
 5-13 Sec. 419.003. SUNSET PROVISION. The Texas Commission on
 5-14 Fire Protection is subject to Chapter 325 (Texas Sunset Act).
 5-15 Unless continued in existence as provided by that chapter, the
 5-16 commission is abolished September 1, 2035 [~~2033~~].
 5-17 SECTION 3.07. COMMISSION ON JAIL STANDARDS. Section
 5-18 511.003, Government Code, is amended to read as follows:
 5-19 Sec. 511.003. SUNSET PROVISION. The Commission on Jail
 5-20 Standards is subject to Chapter 325 (Texas Sunset Act). Unless
 5-21 continued in existence as provided by that chapter, the commission
 5-22 is abolished September 1, 2035 [~~2033~~].
 5-23 SECTION 3.08. TEACHER RETIREMENT SYSTEM OF TEXAS. Section
 5-24 825.006, Government Code, is amended to read as follows:
 5-25 Sec. 825.006. SUNSET PROVISION. The board of trustees of
 5-26 the Teacher Retirement System of Texas is subject to review under
 5-27 Chapter 325 (Texas Sunset Act), but is not abolished under that
 5-28 chapter. The board shall be reviewed during the period in which
 5-29 state agencies abolished in 2035 [~~2033~~], and every 12th year after
 5-30 that year, are reviewed.
 5-31 SECTION 3.09. PARKS AND WILDLIFE DEPARTMENT. Section
 5-32 11.0111, Parks and Wildlife Code, is amended to read as follows:
 5-33 Sec. 11.0111. SUNSET PROVISION. The Parks and Wildlife
 5-34 Department is subject to Chapter 325, Government Code (Texas Sunset
 5-35 Act). Unless continued in existence as provided by that chapter,
 5-36 the department is abolished September 1, 2035 [~~2033~~].
 5-37 SECTION 3.10. BRAZOS RIVER AUTHORITY. Section
 5-38 8502.0021(a), Special District Local Laws Code, is amended to read
 5-39 as follows:
 5-40 (a) The authority is subject to review under Chapter 325,
 5-41 Government Code (Texas Sunset Act), but may not be abolished under
 5-42 that chapter. The review shall be conducted under Section 325.025,
 5-43 Government Code, as if the authority were a state agency scheduled
 5-44 to be abolished September 1, 2035 [~~2033~~], and every 12th year after
 5-45 that year.
 5-46 SECTION 3.11. GULF COAST PROTECTION DISTRICT. Section
 5-47 9502.0105(a), Special District Local Laws Code, is amended to read
 5-48 as follows:
 5-49 (a) The district is subject to review under Chapter 325,
 5-50 Government Code (Texas Sunset Act), but may not be abolished under
 5-51 that chapter. The review shall be conducted under Section 325.025,
 5-52 Government Code, as if the authority were a state agency scheduled
 5-53 to be abolished September 1, 2035 [~~2033~~], and every 12th year after
 5-54 that year.
 5-55 ARTICLE 4. ENTITIES REMOVED FROM SUNSET REVIEW
 5-56 SECTION 4.01. BANDERA COUNTY RIVER AUTHORITY AND
 5-57 GROUNDWATER DISTRICT. Section 1A, Chapter 629, Acts of the 62nd
 5-58 Legislature, Regular Session, 1971, is repealed.
 5-59 ARTICLE 5. AMENDMENTS TO THE TEXAS SUNSET ACT
 5-60 SECTION 5.01. SUNSET ADVISORY COMMISSION. Section
 5-61 325.003(a-1), Government Code, is amended to read as follows:
 5-62 (a-1) A public member acts on behalf of the legislature when
 5-63 participating on the commission in furtherance of the legislature's
 5-64 duty to provide oversight of state [~~executive branch~~] agencies'
 5-65 implementation of legislative priorities.
 5-66 SECTION 5.02. SUNSET ADVISORY COMMISSION REVIEW OF STATE
 5-67 AGENCIES NOT SUBJECT TO ABOLISHMENT. Chapter 325, Government Code,
 5-68 is amended by adding Section 325.006 to read as follows:
 5-69 Sec. 325.006. REVIEW OF AGENCIES NOT SUBJECT TO

6-1 ABOLISHMENT. The provisions of this chapter relating to the review
6-2 of a state agency by the commission apply to the review of a state
6-3 agency that is not subject to abolishment in the same manner as the
6-4 provisions apply to a state agency that is subject to abolishment.

6-5 ARTICLE 6. EFFECTIVE DATE

6-6 SECTION 6.01. EFFECTIVE DATE. This Act takes effect
6-7 immediately if it receives a vote of two-thirds of all the members
6-8 elected to each house, as provided by Section 39, Article III, Texas
6-9 Constitution. If this Act does not receive the vote necessary for
6-10 immediate effect, this Act takes effect September 1, 2023.

6-11

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