

By: Nelson, et al.

S.B. No. 53

A BILL TO BE ENTITLED

AN ACT

relating to strategic fiscal reviews of state agencies and programs.

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

SECTION 1. Chapter 322, Government Code, is amended by adding Section 322.0175 to read as follows:

Sec. 322.0175. STRATEGIC FISCAL REVIEW OF STATE AGENCIES AND PROGRAMS. (a) The board shall perform a strategic fiscal review for all state agencies currently the subject of Sunset Advisory Commission review under Chapter 325, Government Code.

(b) The board shall prepare and submit a report of the findings of the strategic fiscal review by September 1 of even-numbered years to the governor, lieutenant governor, speaker of the house, Senate Finance Committee, and House Appropriations Committee.

(c) The strategic fiscal review report will contain:

(1) a description of the discrete activities the state agency is charged with conducting or performing together with:

(A) a justification for each activity by reference to a statute or other legal authority; and

(B) an evaluation of the effectiveness and efficiency of the state agency's policies, management, fiscal affairs, and operations in relation to each activity;

(2) for each activity identified under Subdivision

1 (1), a quantitative estimate of any adverse effects that reasonably
2 may be expected to result if the activity were discontinued,
3 together with a description of the methods by which the adverse
4 effects were estimated;

5 (3) for each activity identified under Subdivision
6 (1), an itemized account of expenditures required to maintain the
7 activity at the minimum level of service or performance required by
8 the statute or other legal authority, together with a concise
9 statement of the quantity and quality of service or performance
10 required at that minimum level;

11 (4) for each activity identified under Subdivision
12 (1), an itemized account of expenditures required to maintain the
13 activity at the current level of service or performance, together
14 with a concise statement of the quantity and quality of service or
15 performance provided at that current level;

16 (5) a ranking of activities identified under
17 Subdivision (1) that illustrates the relative importance of each
18 activity to the overall goals and purposes of the state agency at
19 current service or performance levels; and

20 (6) recommendations to the legislature regarding
21 whether the legislature should continue funding each activity
22 identified under Subdivision (1) and, if so, at what level.

23 (d) The legislature may consider the strategic fiscal
24 review reports in connection with the legislative appropriations
25 process.

26 (e) Until the board has completed a strategic fiscal review
27 under this section, all information, documentary or otherwise,

prepared or maintained in conducting the strategic fiscal review or preparing the strategic fiscal review report, including intra-agency and interagency communications and drafts of the strategic fiscal review report, or portions of those drafts, is excepted from required public disclosure as audit working papers under Section 552.116. This subsection does not affect whether information described by this subsection is confidential or excepted from required public disclosure under a law other than Section 552.116.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.