

By: Nelson

S.B. No. 53

A BILL TO BE ENTITLED

AN ACT

relating to strategic fiscal reviews for state agencies and programs.

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

SECTION 1. Subtitle C, 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;

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

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

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

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

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

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

27 (e) Until the board has completed a strategic fiscal review

1 under this section, all information, documentary or otherwise,
2 prepared or maintained in conducting the strategic fiscal review or
3 preparing the strategic fiscal review report, including
4 intra-agency and interagency communications and drafts of the
5 strategic fiscal review report, or portions of those drafts, is
6 excepted from required public disclosure as audit working papers
7 under Section 552.116. This subsection does not affect whether
8 information described by this subsection is confidential or
9 excepted from required public disclosure under a law other than
10 Section 552.116.

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