

AN ACT

relating to state agency decentralization of services.

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

SECTION 1. Chapter 391, Local Government Code, is amended by adding Section 391.0091 to read as follows:

Sec. 391.0091. STATE AGENCY CONSULTATION WITH REGIONAL PLANNING COMMISSIONS. (a) In this section, "service" includes a program.

(b) If a state agency determines that a service provided by that agency should be decentralized to a multicounty region, the agency shall use a state planning region or combination of regions for the decentralization.

(c) A state agency that decentralizes a service provided to more than one public entity or nonprofit organization in a region shall consult with the commission for that region in planning the decentralization. The commission shall consult with each affected public entity or nonprofit organization.

(d) A state agency, in planning for decentralization of a service in a region, shall consider using a commission for that service to:

(1) achieve efficiencies through shared costs for:

(A) executive management;

(B) administration;

(C) financial accounting and reporting;

1           (D) facilities and equipment;

2           (E) data services; and

3           (F) audit costs;

4           (2) improve the planning, coordination, and delivery  
5 of services by coordinating the location of services;

6           (3) increase accountability and local control by  
7 placing a service under the oversight of the commission; and

8           (4) improve financial oversight through the auditing  
9 and reporting required under this chapter.

10          (e) This section does not apply to a service:

11           (1) that continues to be operated by a state agency  
12 through a regional administrative office of that agency; or

13           (2) for which the state agency determines that a law,  
14 rule, or program policy makes use of the geographic area of a single  
15 county or adjacent counties more appropriate.

16          SECTION 2. Subchapter B, Chapter 2001, Government Code, is  
17 amended by adding Section 2001.041 to read as follows:

18          Sec. 2001.041. COMPLIANCE WITH LAW ON DECENTRALIZATION. A  
19 state agency rule, order, or guide relating to decentralization of  
20 agency services or programs must include a statement of the manner  
21 in which the agency complied with Section 391.0091, Local  
22 Government Code.

23          SECTION 3. Section 2001.041, Government Code, as added by  
24 this Act, applies only to a state agency rule, order, or guide  
25 adopted on or after September 1, 2003.

26          SECTION 4. This Act takes effect September 1, 2003.

David Newkirk

President of the Senate

Tom Cudde

Speaker of the House

I certify that H.B. No. 2947 was passed by the House on April 25, 2003, by the following vote: Yeas 146, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2947 on May 30, 2003, by the following vote: Yeas 145, Nays 0, 2 present, not voting.

Robert Haney  
Chief Clerk of the House

I certify that H.B. No. 2947 was passed by the Senate, with amendments, on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Patsy Graw  
Secretary of the Senate

APPROVED: 20 JUN '03

Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
10:30 AM O'CLOCK

4 JUN 20 2003  
Ann Shea  
Secretary of State