

AN ACT

relating to the powers and duties of, and the entities reviewed by, the Sunset Advisory Commission.

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

ARTICLE 1. CHANGES TO TEXAS SUNSET ACT

SECTION 1.01. Sections 325.003(a), (b), (d), (e), and (j), Government Code, are amended to read as follows:

(a) The Sunset Advisory Commission consists of five members of the senate and one public member appointed by the lieutenant governor and five members of the house of representatives and one public member appointed by the speaker of the house. The lieutenant governor and the speaker of the house ~~[Each appointing authority]~~ may serve ~~[designate himself]~~ as one of the legislative appointees.

(b) An individual is not eligible for appointment as a public member if the individual or the individual's spouse is:

(1) regulated by a state agency that the commission will review during the term for which the individual would serve; ~~[or]~~

(2) employed by, participates in the management of, or directly or indirectly has more than a 10 percent interest in a business entity or other organization regulated by a state agency the commission will review during the term for which the individual would serve; or

(3) required to register as a lobbyist under Chapter

1 305 because of the person's activities for compensation on behalf
2 of a profession or entity related to the operation of an agency
3 under review.

4 (d) Legislative members serve four-year terms, with terms
5 staggered so that the terms of as near to one-half of the
6 legislative members appointed by the lieutenant governor as
7 possible and the terms of as near to one-half of the legislative
8 members appointed by the speaker as possible expire September 1 of
9 each odd-numbered year. If the lieutenant governor or the speaker
10 serves on the commission, service [~~he~~] continues [~~to serve~~] until
11 resignation from the commission or until the individual [~~he~~] ceases
12 to hold the office. Public members serve two-year terms expiring
13 September 1 of each odd-numbered year.

14 (e) Members other than the lieutenant governor and the
15 speaker are subject to the following restrictions:

16 (1) after an individual serves six years on the
17 commission, the individual is not eligible for appointment to
18 another term or part of a term;

19 (2) a legislative member who serves [~~more than half~~
20 ~~of~~] a full term may not be appointed to an immediately succeeding
21 term; and

22 (3) a public member may not serve more than two
23 consecutive terms, and, for purposes of this prohibition, a member
24 is considered to have served a term only if the member has served
25 more than half of the term.

26 (j) Seven members of the commission constitute a quorum. A
27 final action or recommendation may not be made unless approved by a

1 record vote of a majority of members appointed by the lieutenant
2 governor and the speaker of the house [~~the commission's full~~
3 ~~membership~~]. All other actions by the commission shall be decided
4 by a majority of the members present and voting.

5 SECTION 1.02. Section 325.007, Government Code, is amended
6 to read as follows:

7 Sec. 325.007. AGENCY REPORT TO COMMISSION. Before
8 September 1 [~~October 30~~] of the odd-numbered year before the year in
9 which a state agency subject to this chapter is abolished, the
10 agency shall report to the commission:

11 (1) information regarding the application to the
12 agency of the criteria in Section 325.011; and

13 (2) any other information that the agency considers
14 appropriate or that is requested by the commission.

15 SECTION 1.03. Section 325.008(a), Government Code, is
16 amended to read as follows:

17 (a) Before January [~~September~~] 1 of [~~the even-numbered year~~
18 ~~before~~] the year in which a state agency subject to this chapter and
19 its advisory committees are abolished, the commission shall:

20 (1) review and take action necessary to verify the
21 reports submitted by the agency under Section 325.007;

22 (2) consult the Legislative Budget Board, the
23 Governor's Budget, Policy, and Planning Division [~~Office~~], the
24 State Auditor, and the comptroller of public accounts, or their
25 successors, on the application to the agency of the criteria
26 provided in Section 325.011;

27 (3) conduct a review [~~performance evaluation~~] of the

1 agency based on the criteria provided in Section 325.011 and
2 prepare a written report; and

3 (4) review the implementation of commission
4 recommendations contained in the reports presented to the
5 legislature during the preceding legislative session and the
6 resulting legislation.

7 SECTION 1.04. Section 325.009, Government Code, is amended
8 to read as follows:

9 Sec. 325.009. PUBLIC HEARINGS. (a) Before February
10 [~~Between September 1 and December~~] 1 of [~~the calendar year before~~]
11 the year a state agency subject to this chapter and its advisory
12 committees are abolished, the commission shall conduct public
13 hearings concerning but not limited to the application to the
14 agency of the criteria provided in Section 325.011.

15 (b) The commission may hold the public hearings after
16 [~~before September 1 if~~] the review [~~evaluation~~] of the agency
17 required by Section 325.008(a)(3) is complete and available to the
18 public.

19 SECTION 1.05. Section 325.010, Government Code, is amended
20 to read as follows:

21 Sec. 325.010. COMMISSION REPORT. (a) At each regular
22 legislative session, the commission shall present to the
23 legislature and the governor a report on the agencies and advisory
24 committees reviewed [~~scheduled to be abolished~~].

25 (b) In the report the commission shall include:

26 (1) its [~~specific~~] findings regarding [~~each of~~] the
27 criteria prescribed by Section 325.011;

1 (2) its recommendations based on the matters
2 prescribed by Section 325.012; and

3 (3) other information the commission considers
4 necessary for a complete review [~~evaluation~~] of the agency.

5 SECTION 1.06. Section 325.011, Government Code, is amended
6 to read as follows:

7 Sec. 325.011. CRITERIA FOR REVIEW. The commission and its
8 staff shall consider the following criteria in determining whether
9 a public need exists for the continuation of a state agency or its
10 advisory committees or for the performance of the functions of the
11 agency or its advisory committees:

12 (1) the efficiency and effectiveness with which the
13 agency or the advisory committee operates;

14 (2)(A) an identification of the mission, goals, and
15 objectives intended for the agency or advisory committee and of the
16 problem or need that the agency or advisory committee was intended
17 to address; and

18 (B) [~~7~~] the extent to which the mission, goals,
19 and objectives have been achieved and the problem or need has been
20 addressed;

21 (3)(A) an identification of [~~7~~ and] any activities of
22 the agency in addition to those granted by statute and of the
23 authority for those [~~these~~] activities; and

24 (B) the extent to which those activities are
25 needed;

26 (4) [~~3~~] an assessment of authority of the agency
27 relating to fees, inspections, enforcement, and penalties;

1 (5) whether less restrictive or alternative methods of
2 performing any function [~~regulation~~] that the agency performs
3 [~~that~~] could adequately protect or provide service to the public;

4 (6) [~~(4) the extent to which the advisory committee is~~
5 ~~needed and is used,~~

6 [~~(5)~~] the extent to which the jurisdiction of the
7 agency and the programs administered by the agency overlap or
8 duplicate those of other agencies, the extent to which the agency
9 coordinates with those agencies, and the extent to which the
10 programs administered by the agency can be consolidated with the
11 programs of other state agencies;

12 (7) [~~(6) whether the agency has recommended to the~~
13 ~~legislature statutory changes calculated to be of benefit to the~~
14 ~~public rather than to an occupation, business, or institution that~~
15 ~~the agency regulates,~~

16 [~~(7)~~] the promptness and effectiveness with which the
17 agency addresses [~~disposes of~~] complaints concerning entities or
18 other persons affected by the agency, including an assessment of
19 the agency's administrative hearings process;

20 (8) an assessment of the agency's rulemaking process
21 and the extent to which the agency has encouraged participation by
22 the public in making its rules and decisions [~~as opposed to~~
23 ~~participation solely by those it regulates~~] and the extent to which
24 the public participation has resulted in rules that benefit the
25 public [~~compatible with the objectives of the agency~~];

26 (9) the extent to which the agency has complied with
27 [~~applicable requirements of~~]:

1 (A) federal and state laws and applicable rules
2 ~~[an agency of the United States or of this state]~~ regarding equality
3 of employment opportunity and the rights and privacy of
4 individuals; and

5 (B) state law and applicable rules of any state
6 agency regarding purchasing guidelines ~~[goals]~~ and programs for
7 historically underutilized businesses;

8 (10) ~~[the extent to which changes are necessary in the~~
9 ~~enabling statutes of the agency so that the agency can adequately~~
10 ~~comply with the criteria listed in this section;~~

11 ~~[(11)]~~ the extent to which the agency issues and
12 enforces rules relating to potential conflicts of interest of its
13 employees;

14 (11) ~~[(12)]~~ the extent to which the agency complies
15 with Chapters 551 and 552 and follows records management practices
16 that enable the agency to respond efficiently to requests for
17 public information; and

18 (12) ~~[(13)]~~ the effect of federal intervention or loss
19 of federal funds if the agency is abolished.

20 SECTION 1.07. Section 325.012, Government Code, is amended
21 to read as follows:

22 Sec. 325.012. RECOMMENDATIONS. (a) In its report on a state
23 agency, the commission shall:

24 (1) make recommendations on the abolition,
25 continuation, or reorganization of each affected state agency and
26 its advisory committees and on the need for the performance of the
27 functions of the agency and its advisory committees;

1 (2) make recommendations on the consolidation,
2 transfer, or reorganization of programs within state agencies not
3 under review when the programs duplicate functions performed in
4 agencies under review; and

5 (3) make recommendations to improve the operations of
6 the agency, its policy body, and its advisory committees, including
7 management recommendations that do not require a change in the
8 agency's enabling statute.

9 (b) The commission shall include the estimated fiscal
10 impact of its recommendations and may recommend appropriation
11 levels for certain programs to improve the operations of the state
12 agency, to be forwarded to the Legislative Budget Board.

13 (c) The commission shall have [~~recommend appropriation~~
14 ~~levels for each state agency and advisory committee for which~~
15 ~~abolition or reorganization is recommended under Subdivision (1) or~~
16 ~~(2); and~~

17 [~~(4) include~~] drafts of legislation prepared
18 [~~necessary~~] to carry out the commission's recommendations under
19 this section [~~Subdivisions (1) and (2)]~~.

20 (d) After the legislature acts on the report [~~(b) On the~~
21 ~~date the commission presents its report to the legislature]~~ under
22 Section 325.010, the commission shall present to the state auditor
23 the commission's recommendations that do not require a statutory
24 change to be put into effect. Based on a risk assessment and
25 subject to the legislative audit committee's approval of including
26 the examination in the audit plan under Section 321.013, the state
27 auditor may examine the recommendations and include as part of the

1 next approved audit of the agency a report on whether the agency has
2 implemented the recommendations and, if so, in what manner.

3 SECTION 1.08. Section 325.0125, Government Code, is amended
4 to read as follows:

5 Sec. 325.0125. REVIEW OF CERTAIN AGENCIES. (a) In the
6 two-year period preceding the date scheduled for the abolition of a
7 state agency under this chapter, the commission may exempt certain
8 agencies from the requirements of this chapter relating to staff
9 reports, hearings, and reviews [~~evaluations~~].

10 (b) The commission may only exempt agencies that have been
11 inactive for a period of two years preceding the date the agency is
12 scheduled for abolition or that have been rendered inactive by an
13 action of the legislature.

14 (c) The commission's action in exempting agencies under
15 this section must be done by an affirmative record vote and must be
16 decided by a majority of all members present and voting [~~of the~~
17 ~~commission~~].

18 SECTION 1.09. Section 325.016, Government Code, is
19 repealed.

20 SECTION 1.10. Section 325.017(e), Government Code, is
21 amended to read as follows:

22 (e) Unless the governor designates an appropriate state
23 agency as prescribed by Subsection (f), property and records in the
24 custody of an abolished state agency or advisory committee on
25 September 1 of the even-numbered year after abolishment shall be
26 transferred to the Texas Building and Procurement [~~State Purchasing~~
27 ~~and General Services~~] Commission. If the governor designates an

1 appropriate state agency, the property and records shall be
2 transferred to the designated state agency.

3 SECTION 1.11. Section 325.020, Government Code, is amended
4 to read as follows:

5 Sec. 325.020. RELOCATION OF EMPLOYEES. If an employee is
6 displaced because a state agency or its advisory committee is
7 abolished, reorganized, or continued, the state agency and the
8 Texas Workforce [~~Employment~~] Commission shall make a reasonable
9 effort to relocate the displaced employee.

10 SECTION 1.12. Section 325.022, Government Code, is amended
11 to read as follows:

12 Sec. 325.022. REVIEW OF PROPOSED LEGISLATION CREATING AN
13 [~~REGULATORY~~] AGENCY. (a) Each bill filed in a house of the
14 legislature that would create a new state agency [~~having regulatory~~
15 ~~authority~~] or a new advisory committee to a state agency [~~having~~
16 ~~regulatory authority~~] shall be reviewed by [~~forwarded to~~] the
17 commission.

18 (b) The commission shall review the bill to determine if:

19 (1) the proposed [~~regulatory and other~~] functions of
20 the agency or committee could be administered by one or more
21 existing state agencies or advisory committees;

22 (2) the form of regulation, if any, proposed by the
23 bill is the least restrictive form of regulation that will
24 adequately protect the public;

25 (3) the bill provides for adequate public input
26 regarding any regulatory function proposed by the bill; and

27 (4) the bill provides for adequate protection against

1 conflicts of interest within the agency or committee.

2 (c) On request [~~After reviewing the bill~~], the commission
3 shall forward a written comment on the legislation to the author of
4 the bill and to the presiding officer of the committee to which the
5 bill is referred.

6 ARTICLE 2. ENTITIES GIVEN 2009 SUNSET DATE

7 SECTION 2.01. DEPARTMENT OF AGRICULTURE. Section 11.003,
8 Agriculture Code, is amended to read as follows:

9 Sec. 11.003. SUNSET PROVISION. The Department of
10 Agriculture is subject to Chapter 325, Government Code (Texas
11 Sunset Act). Unless continued in existence as provided by that
12 chapter, the department is abolished September 1, 2009 [~~2011~~].

13 SECTION 2.02. TEXAS-ISRAEL EXCHANGE FUND BOARD. Section
14 45.006(i), Agriculture Code, is amended to read as follows:

15 (i) The Texas-Israel Exchange Fund Board [~~board~~] is subject
16 to Chapter 325, Government Code (Texas Sunset Act). Unless
17 continued in existence as provided by that chapter, the board is
18 abolished and this chapter expires September 1, 2009 [~~2011~~].

19 SECTION 2.03. BOARD OF DIRECTORS OF THE OFFICIAL COTTON
20 GROWERS' BOLL WEEVIL ERADICATION FOUNDATION. Section 74.127(a),
21 Agriculture Code, is amended to read as follows:

22 (a) The board of directors of the official cotton growers'
23 boll weevil eradication foundation is subject to Chapter 325,
24 Government Code (Texas Sunset Act). Unless continued in existence
25 as provided by that chapter, the board is abolished and this
26 subchapter expires September 1, 2009 [~~2011~~].

27 SECTION 2.04. PRESCRIBED BURNING BOARD. Section 153.044,

1 Natural Resources Code, is amended to read as follows:

2 Sec. 153.044. SUNSET PROVISION. The Prescribed Burning
3 Board is subject to Chapter 325, Government Code (Texas Sunset
4 Act). Unless continued in existence as provided by that chapter,
5 the board is abolished and this chapter expires September 1, 2009
6 [~~2011~~].

7 SECTION 2.05. PARKS AND WILDLIFE DEPARTMENT. Section
8 11.0111, Parks and Wildlife Code, is amended to read as follows:

9 Sec. 11.0111. SUNSET PROVISION. The Parks and Wildlife
10 Department is subject to Chapter 325, Government Code (Texas Sunset
11 Act). Unless continued in existence as provided by that chapter,
12 the department is abolished September 1, 2009 [~~2013~~].

13 SECTION 2.06. TEXAS HISTORICAL COMMISSION. (a) Section
14 442.002(k), Government Code, is amended to read as follows:

15 (k) The Texas Historical Commission is subject to Chapter
16 325 (Texas Sunset Act). Unless continued in existence as provided
17 by that chapter, the commission is abolished and this chapter
18 expires September 1, 2009 [~~2007~~]. In the review of the commission
19 by the Sunset Advisory Commission, as required by this section, the
20 sunset commission shall limit its review to the appropriateness of
21 recommendations made to the 80th Legislature. In its report to the
22 81st Legislature, the sunset commission may include any
23 recommendations it considers appropriate.

24 (b) This section takes effect only if the 80th Legislature,
25 Regular Session, 2007, does not enact other legislation that
26 becomes law and that amends Section 442.002(k), Government Code, to
27 extend the sunset date of the Texas Historical Commission. If the

1 80th Legislature, Regular Session, 2007, enacts legislation of that
2 kind, this section has no effect.

3 SECTION 2.07. OFFICE OF RURAL COMMUNITY AFFAIRS. (a)
4 Section 487.002, Government Code, is amended to read as follows:

5 Sec. 487.002. SUNSET PROVISION. The Office of Rural
6 Community Affairs is subject to Chapter 325 (Texas Sunset Act).
7 Unless continued in existence as provided by that chapter, the
8 office is abolished and this chapter expires September 1, 2009
9 [~~2007~~]. In the review of the office by the Sunset Advisory
10 Commission, as required by this section, the sunset commission
11 shall limit its review to the appropriateness of recommendations
12 made to the 80th Legislature. In its report to the 81st
13 Legislature, the sunset commission may include any recommendations
14 it considers appropriate.

15 (b) This section takes effect only if the 80th Legislature,
16 Regular Session, 2007, does not enact other legislation that
17 becomes law and that amends Section 487.002, Government Code, to
18 extend the sunset date of the Office of Rural Community Affairs. If
19 the 80th Legislature, Regular Session, 2007, enacts legislation of
20 that kind, this section has no effect.

21 SECTION 2.08. OFFICE OF STATE-FEDERAL RELATIONS. (a)
22 Section 751.003, Government Code, is amended to read as follows:

23 Sec. 751.003. SUNSET PROVISION. The Office of
24 State-Federal Relations is subject to Chapter 325 (Texas Sunset
25 Act). Unless continued in existence as provided by that chapter,
26 the office is abolished and this chapter expires September 1, 2009
27 [~~2007~~]. In the review of the office by the Sunset Advisory

1 Commission, as required by this section, the sunset commission
2 shall limit its review to the appropriateness of recommendations
3 made to the 80th Legislature. In its report to the 81st
4 Legislature, the sunset commission may include any recommendations
5 it considers appropriate.

6 (b) This section takes effect only if the 80th Legislature,
7 Regular Session, 2007, does not enact other legislation that
8 becomes law and that amends Section 751.003, Government Code, to
9 extend the sunset date of the Texas Office of State Federal
10 Relations. If the 80th Legislature, Regular Session, 2007, enacts
11 legislation of that kind, this section has no effect.

12 SECTION 2.09. BOARD OF TAX PROFESSIONAL EXAMINERS. Section
13 1151.003, Occupations Code, is amended to read as follows:

14 Sec. 1151.003. APPLICATION OF SUNSET ACT. The Board of Tax
15 Professional Examiners is subject to Chapter 325, Government Code
16 (Texas Sunset Act). Unless continued in existence as provided by
17 that chapter, the board is abolished and this chapter expires
18 September 1, 2009 [~~2015~~].

19 ARTICLE 3. ENTITIES GIVEN 2011 SUNSET DATE

20 SECTION 3.01. HEALTH AND HUMAN SERVICES COMMISSION.
21 Section 531.004, Government Code, is amended to read as follows:

22 Sec. 531.004. SUNSET PROVISION. The Health and Human
23 Services Commission is subject to Chapter 325 (Texas Sunset Act).
24 Unless continued in existence as provided by that chapter, the
25 commission is abolished and this chapter expires September 1, 2011
26 [~~2009~~].

27 SECTION 3.02. TEXAS CANCER COUNCIL. Section 102.003,

1 Health and Safety Code, is amended to read as follows:

2 Sec. 102.003. SUNSET PROVISION. The Texas Cancer Council
3 is subject to Chapter 325, Government Code (Texas Sunset Act).
4 Unless continued in existence as provided by that chapter, the
5 council is abolished and this chapter expires September 1, 2011
6 [~~2009~~].

7 SECTION 3.03 DEPARTMENT OF STATE HEALTH SERVICES. Section
8 1001.003, Health and Safety Code, is amended to read as follows:

9 Sec. 1001.003. SUNSET PROVISION. The Department of State
10 Health Services [~~department~~] is subject to Chapter 325, Government
11 Code (Texas Sunset Act). Unless continued in existence as provided
12 by that chapter, the department is abolished and this chapter
13 expires September 1, 2011 [~~2009~~].

14 SECTION 3.04. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES.
15 Section 40.003, Human Resources Code, is amended to read as
16 follows:

17 Sec. 40.003. SUNSET PROVISION. The Department of Family
18 and Protective Services is subject to Chapter 325, Government Code
19 (Texas Sunset Act). Unless continued in existence as provided by
20 that chapter, the department is abolished and this chapter expires
21 September 1, 2011 [~~2009~~].

22 SECTION 3.05. TEXAS COUNCIL FOR DEVELOPMENTAL
23 DISABILITIES. Section 112.023, Human Resources Code, is amended to
24 read as follows:

25 Sec. 112.023. SUNSET PROVISION. The Texas Council for
26 Developmental Disabilities is subject to Chapter 325, Government
27 Code (Texas Sunset Act). Unless continued in existence as provided

1 by that chapter, the council is abolished and this chapter expires
2 September 1, 2011 [~~2009~~].

3 SECTION 3.06. GOVERNOR'S COMMITTEE ON PEOPLE WITH
4 DISABILITIES. Section 115.005, Human Resources Code, is amended to
5 read as follows:

6 Sec. 115.005. SUNSET PROVISION. The Governor's Committee
7 on People with Disabilities is subject to Chapter 325, Government
8 Code (Texas Sunset Act). Unless continued in existence as provided
9 by that chapter, the committee is abolished and this chapter
10 expires September 1, 2011 [~~2009~~].

11 SECTION 3.07. DEPARTMENT OF ASSISTIVE AND REHABILITATIVE
12 SERVICES. Section 117.003, Human Resources Code, is amended to
13 read as follows:

14 Sec. 117.003. SUNSET PROVISION. The Department of
15 Assistive and Rehabilitative Services [~~department~~] is subject to
16 Chapter 325, Government Code (Texas Sunset Act). Unless continued
17 in existence as provided by that chapter, the department is
18 abolished and this chapter expires September 1, 2011 [~~2009~~].

19 SECTION 3.08. DEPARTMENT OF AGING AND DISABILITY SERVICES.
20 Section 161.003, Human Resources Code, is amended to read as
21 follows:

22 Sec. 161.003. SUNSET PROVISION. The Department of Aging
23 and Disability Services [~~department~~] is subject to Chapter 325,
24 Government Code (Texas Sunset Act). Unless continued in existence
25 as provided by that chapter, the department is abolished and this
26 chapter expires September 1, 2011 [~~2009~~].

27 SECTION 3.09. TEXAS DEPARTMENT OF INSURANCE, DIVISION OF

1 WORKERS' COMPENSATION. Section 31.004(b), Insurance Code, is
2 amended to read as follows:

3 (b) Unless continued as provided by Chapter 325, Government
4 Code, the duties of the division of workers' compensation of the
5 Texas Department of Insurance under Title 5, Labor Code, expire
6 September 1, 2011 [~~2009~~], or another date designated by the
7 legislature.

8 SECTION 3.10. OFFICE OF INJURED EMPLOYEE COUNSEL. Section
9 404.003, Labor Code, is amended to read as follows:

10 Sec. 404.003. SUNSET PROVISION. The office of injured
11 employee counsel is subject to Chapter 325, Government Code (Texas
12 Sunset Act). Unless continued in existence as provided by that
13 chapter, the office is abolished and this chapter expires September
14 1, 2011 [~~2009~~].

15 SECTION 3.11. DEPARTMENT OF INFORMATION RESOURCES. Section
16 2054.005, Government Code, is amended to read as follows:

17 Sec. 2054.005. SUNSET PROVISION. The Department of
18 Information Resources is subject to Chapter 325 (Texas Sunset Act).
19 Unless continued in existence as provided by that chapter, the
20 department is abolished and this chapter expires September 1, 2011
21 [~~2009~~].

22 SECTION 3.12. ELECTRONIC GOVERNMENT PROGRAM MANAGEMENT
23 OFFICE. Section 2055.003, Government Code, is amended to read as
24 follows:

25 Sec. 2055.003. SUNSET PROVISION. The office is subject to
26 Chapter 325, (Texas Sunset Act). Unless continued in existence as
27 provided by that chapter, the office is abolished September 1, 2011

1 [2009].

2 SECTION 3.13. TEXAS PUBLIC FINANCE AUTHORITY. Section
3 1232.072, Government Code, is amended to read as follows:

4 Sec. 1232.072. SUNSET PROVISION. The Texas Public Finance
5 Authority is subject to Chapter 325 (Texas Sunset Act). Unless
6 continued in existence as provided by that chapter, the authority
7 is abolished and this chapter expires September 1, 2011 [2009].

8 ARTICLE 4. ENTITIES GIVEN 2013 SUNSET DATE

9 SECTION 4.01. STATE PRESERVATION BOARD. Section 443.002,
10 Government Code, is amended to read as follows:

11 Sec. 443.002. SUNSET PROVISION. The State Preservation
12 Board is subject to Chapter 325 (Texas Sunset Act). Unless
13 continued in existence as provided by that chapter, the board is
14 abolished and this chapter expires September 1, 2013 [2011].

15 SECTION 4.02. TEXAS WORKFORCE COMMISSION. Section 301.008,
16 Labor Code, is amended to read as follows:

17 Sec. 301.008. APPLICATION OF SUNSET ACT. The Texas
18 Workforce Commission is subject to Chapter 325, Government Code
19 (Texas Sunset Act). Unless continued in existence as provided by
20 that chapter, the commission is abolished September 1, 2013 [2009].

21 SECTION 4.03. STATE BOARD OF EXAMINERS FOR SPEECH-LANGUAGE
22 PATHOLOGY AND AUDIOLOGY. Section 401.002, Occupations Code, is
23 amended to read as follows:

24 Sec. 401.002. APPLICATION OF SUNSET ACT. The State Board of
25 Examiners for Speech-Language Pathology and Audiology is subject to
26 Chapter 325, Government Code (Texas Sunset Act). Unless continued
27 in existence as provided by that chapter, the board is abolished and

1 this chapter expires September 1, 2013 [~~2009~~].

2 SECTION 4.04. STATE COMMITTEE OF EXAMINERS IN THE FITTING
3 AND DISPENSING OF HEARING INSTRUMENTS. Section 402.002,
4 Occupations Code, is amended to read as follows:

5 Sec. 402.002. APPLICATION OF SUNSET ACT. The State
6 Committee of Examiners in the Fitting and Dispensing of Hearing
7 Instruments is subject to Chapter 325, Government Code (Texas
8 Sunset Act). Unless continued in existence as provided by that
9 chapter, the committee is abolished and this chapter expires
10 September 1, 2013 [~~2009~~].

11 SECTION 4.05. EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND
12 OCCUPATIONAL THERAPY EXAMINERS. Section 452.002, Occupations
13 Code, is amended to read as follows:

14 Sec. 452.002. APPLICATION OF SUNSET ACT. The Executive
15 Council of Physical Therapy and Occupational Therapy Examiners is
16 subject to Chapter 325, Government Code (Texas Sunset Act). Unless
17 continued in existence as provided by that chapter, the executive
18 council is abolished and the following laws expire September 1,
19 2013 [~~2009~~]:

- 20 (1) this chapter;
21 (2) Chapter 453; and
22 (3) Chapter 454.

23 SECTION 4.06. TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS.
24 Section 453.002, Occupations Code, is amended to read as follows:

25 Sec. 453.002. APPLICATION OF SUNSET ACT. The Texas Board of
26 Physical Therapy Examiners is subject to Chapter 325, Government
27 Code (Texas Sunset Act). Unless continued in existence as provided

1 by that chapter, the board is abolished and this chapter expires
2 September 1, 2013 [~~2009~~].

3 SECTION 4.07. TEXAS BOARD OF OCCUPATIONAL THERAPY
4 EXAMINERS. Section 454.003, Occupations Code, is amended to read
5 as follows:

6 Sec. 454.003. APPLICATION OF SUNSET ACT. The Texas Board of
7 Occupational Therapy Examiners is subject to Chapter 325,
8 Government Code (Texas Sunset Act). Unless continued in existence
9 as provided by that chapter, the board is abolished and this chapter
10 expires September 1, 2013 [~~2009~~].

11 SECTION 4.08. TEXAS BOARD OF ORTHOTICS AND PROSTHETICS.
12 Section 605.003, Occupations Code, is amended to read as follows:

13 Sec. 605.003. APPLICATION OF SUNSET ACT. The Texas Board of
14 Orthotics and Prosthetics is subject to Chapter 325, Government
15 Code (Texas Sunset Act). Unless continued in existence as provided
16 by that chapter, the board is abolished and this chapter expires
17 September 1, 2013 [~~2009~~].

18 SECTION 4.09. SELF-DIRECTED SEMI-INDEPENDENT AGENCY
19 PROJECT. Section 4(c), Self-Directed Semi-Independent Agency
20 Project Act (Article 8930, Revised Statutes), is amended to read as
21 follows:

22 (c) This Act is subject to Chapter 325, Government Code
23 (Texas Sunset Act). Unless continued in existence as provided by
24 that chapter, this Act expires September 1, 2013 [~~2009~~].

25 ARTICLE 5. ENTITY REMOVED FROM SPECIFIC SUNSET REVIEW

26 SECTION 5.01. REPEALER. Section 435.003, Government Code
27 (Texas Military Facilities Commission sunset provision), is

1 repealed.

2 ARTICLE 6. SPECIAL PURPOSE REVIEW

3 SECTION 6.01. TEXAS MEDICAL BOARD. The Sunset Advisory
4 Commission shall conduct a special purpose review of the Texas
5 Medical Board as part of the commission's review of agencies for the
6 81st Legislature. The commission's report to the 81st Legislature
7 regarding the review of the Texas Medical Board must include:

8 (1) an evaluation of the board's management efforts to
9 comply with legislative direction and performance measure targets;
10 and

11 (2) any recommendations the commission considers
12 appropriate based on the review of the board.

13 ARTICLE 7. EFFECTIVE DATE

14 SECTION 7.01. EFFECTIVE DATE. This Act takes effect
15 immediately if it receives a vote of two-thirds of all the members
16 elected to each house, as provided by Section 39, Article III, Texas
17 Constitution. If this Act does not receive the vote necessary for
18 immediate effect, this Act takes effect September 1, 2007.

David Newkirk

President of the Senate

Jim Caddell

Speaker of the House

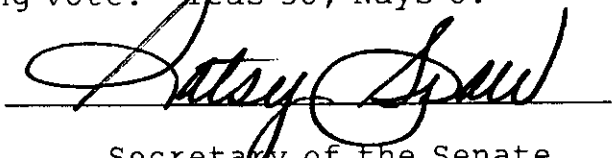
I certify that H.B. No. 3249 was passed by the House on April 26, 2007, by the following vote: Yeas 139, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 3249 on May 24, 2007, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 3249 on May 28, 2007, by the following vote: Yeas 139, Nays 0, 1 present, not voting.

Robert Haney

Chief Clerk of the House

H.B. No. 3249

I certify that H.B. No. 3249 was passed by the Senate, with amendments, on May 22, 2007, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 3249 on May 27, 2007, by the following vote: Yeas 30, Nays 0.


Secretary of the Senate

APPROVED: 15 JUN 07

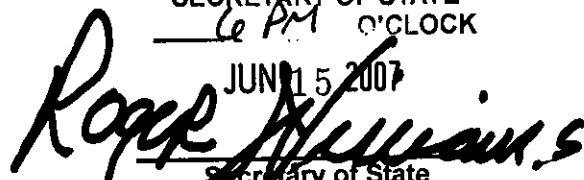
Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

6 PM O'CLOCK

JUN 15 2007


Secretary of State