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AN ACT

relating to the continuation of certain professional and occupational licensing boards as self-directed and semi-independent agencies and to certain required reports for such agencies.

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

SECTION 1. Subsections (a) and (c), Section 4, Article 8930, Revised Statutes, are amended to read as follows:

(a) Notwithstanding any other provision of law, each project agency shall become self-directed and semi-independent as specified in this Act. To allow the pilot project the opportunity to test the effectiveness of operating under the provisions of this Act, any Act of the 78th Legislature that relates to an agency included in Section 2 of this Act and that is inconsistent with being self-directed and semi-independent may be implemented on authorization by the governing board of the agency.

(c) This Act is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, this Act expires September 1, 2009 [~~2003~~].

SECTION 2. Subsection (c), Section 6, Article 8930, Revised Statutes, is amended to read as follows:

(c) The Texas State Board of Public Accountancy shall annually remit \$703,344 [~~\$500,000~~] to the general revenue fund, the Texas Board of Professional Engineers shall annually remit \$373,900

1 [~~\$50,000~~] to the general revenue fund, and the Texas Board of
2 Architectural Examiners shall annually remit \$510,000 [~~\$700,000~~]
3 to the general revenue fund.

4 SECTION 3. Section 14, Article 8930, Revised Statutes, is
5 amended by adding Subsections (c) and (d) to read as follows:

6 (c) A project agency may retain each fiscal year an amount
7 of fines and other revenue the project agency receives during the
8 fiscal year as a result of enforcement actions that is equal to 20
9 percent of the total amount expended by the project agency during
10 the previous fiscal year, not to exceed \$1 million.

11 (d) At the end of each fiscal year 50 percent of the
12 unexpended balance of the amount retained in Subsection (c) of this
13 section shall be deposited to the credit of the general revenue
14 fund.

15 SECTION 4. Article 8930, Revised Statutes, is amended by
16 adding Section 18 to read as follows:

17 Sec. 18. GIFTS. (a) Notwithstanding other law, a project
18 agency may not accept a gift, grant, or donation:

19 (1) from a party to an enforcement action; or

20 (2) to pursue a specific investigation or enforcement
21 action.

22 (b) A project agency must:

23 (1) report each gift, grant, or donation that the
24 agency receives as a separate item in the agency's detailed report
25 under Section 8(b) of this Act; and

26 (2) include with the report a statement indicating the
27 purpose for which each gift, grant, or donation was used.

1 SECTION 5. If a conflict exists between this Act and another
2 Act of the 78th Legislature, Regular Session, 2003, that amends the
3 Self-Directed Semi-Independent Agency Project Act (Article 8930,
4 Revised Statutes), including an Act that continues a project agency
5 in accordance with Chapter 325, Government Code (Texas Sunset Act),
6 this Act controls without regard to the relative dates of
7 enactment.

8 SECTION 6. This Act takes effect September 1, 2003.

David Suohunt
President of the Senate

Jim Cullik
Speaker of the House

I hereby certify that S.B. No. 1382 passed the Senate on May 8, 2003, by a viva-voce vote; and that the Senate concurred in House amendment on May 30, 2003, by a viva-voce vote. _____

Lacey Spaw
Secretary of the Senate

I hereby certify that S.B. No. 1382 passed the House, with amendment, on May 28, 2003, by a non-record vote. _____

Robert Vanev
Chief Clerk of the House

Approved:

18 JUN '03

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:30 PM O'CLOCK

Ann Shea
Secretary of State