

BILL ANALYSIS

Senate Research Center

H.J.R. 74
By: Gray (Brown)
Human Services
5/13/1999
Engrossed

DIGEST

Under proposed H.B. 2641, the commissioner of health and human services (commissioner) is given increased power over the operations of the health and human services agencies. This constitutional amendment is intended as a companion to H.B. 2641. H.J.R. 74 requires the submission to the voters of a constitutional amendment allowing the commissioner to serve a term of four years concurrently with the governor, who has the responsibility of appointing the commissioner.

PURPOSE

As proposed, H.J.R. 74 requires the submission to the voters of a constitutional amendment allowing the commissioner to serve a term of four years concurrently with the governor, who has the responsibility of appointing the commissioner.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 30, Article XVI, Texas Constitution, by adding Subsection (e), to provide that if the legislature establishes an office, known as the office of the commissioner of health and human services (commissioner) or known by any other title, that is filled by appointment by the governor and that is the single governing office of the state agency responsible for coordinating the planning and delivery of health and human services by the state health and human services agencies, the person holding that office has a term of four years running concurrently with the term of the governor. Provides that the term of that officer expires on the date on which the governor who appointed that officer ceases to hold office as governor.

SECTION 2. Adds the following temporary provision to the Texas Constitution:

TEMPORARY PROVISION. Provides that this temporary provision applies to the constitutional amendment proposed by the 76th Legislature, Regular Session, 1999, that provides a four-year term for the commissioner and that provides that the term runs concurrently with the term of the governor. Provides that the term of the commissioner on the effective date of this constitutional amendment, expires as provided by that constitutional amendment. Provides that this temporary provision expires February 1, 2003.

SECTION 3. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 2, 1999. Sets forth the required language for the ballot.