

BILL ANALYSIS

Senate Research Center

H.B. 2716
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Business & Commerce
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, enabling legislation for 65 agencies requires those agencies to file equal employment opportunity reports and personnel policy statements with the governor's office. This, in turn, requires the governor's office to file a report with the legislature based on the information provided by the agencies. The agency reports are filed annually and the governor's report is filed biennially. The enabling legislation for forty-three additional agencies requires them to file equal employment opportunity reports with the governor's office annually, but does not require the governor's office to file a subsequent report with the legislature.

The agency reporting requirement is vague and the wording varies from one agency's enabling legislation to another. The governor's reporting requirement duplicates functions of the Texas Workforce Commission civil rights division, formerly the Texas Commission on Human Rights, resulting in an ineffective use of state resources.

H.B. 2716 directs that all equal employment opportunity reports and personnel policy statements be filed with the Texas Workforce Commission civil rights division and eliminates duplicate reports.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2052.003, Government Code, by amending Subsection (a) and adding Subsection (d), as follows:

(a) Requires a state agency that sends an annual report on equal employment opportunities with the agency to the Texas Workforce Commission civil rights division, rather than the governor, to include certain information in the statistical information of the report.

(d) Requires equal employment opportunity reports and personnel policy statements required to be filed with the governor, notwithstanding any other law, to be filed with the Texas Workforce Commission civil rights division and a report required to be compiled by the governor based on those equal opportunity reports and personnel policy statements and filed with the legislature to be compiled by the Texas Workforce Commission civil rights division and filed with the governor and the legislature. Authorizes the report to be made separately or as a part of any other biennial report to the legislature.

SECTION 2. Amends Section 21.552(a), Labor Code, to require each state agency, not later than November 1 of each year, rather than the seventh day of each calendar year, excluding legal holidays and weekends, to report equal employment opportunity information for the preceding fiscal, rather than calendar, year to the Texas Workforce Commission civil rights division as required by this subchapter.

SECTION 3. Effective date: upon passage or September 1, 2005.