

BILL ANALYSIS

Senate Research Center
80R7440 YDB-D

S.B. 1190
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Government Organization
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under the current appropriations and spending process, the legislature has very little opportunity to find ways to identify waste, fraud, and abuse. The current system relies too heavily on part-time legislators to appropriate more than \$165 billion in state funds during six months every other year. This does not allow legislators to analyze how the money is spent. Moreover, under the current arrangement, those who spend tax money maintain more power than those who appropriate tax money.

As proposed, S.B. 1190 creates a spending commission modeled after President Reagan's Grace Commission. The Commission on State Government Spending (commission) would have the power to audit every state agency in an attempt to find ways to identify waste, fraud, and abuse. The commission would file a report of their findings with the legislature prior to the next legislative session as a non-amendable bill. Members of the legislature could approve or disapprove the measure, but it could not be amended.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle B, Title 10, Government Code, by adding Chapter 2060, as follows:

CHAPTER 2060. COMMISSION ON STATE GOVERNMENT SPENDING

Sec. 2060.001. DEFINITION. Defines "state agency."

Sec. 2060.002. COMMISSION COMPOSITION. (a) Provides that the Commission on State Government Spending (commission) is composed of a number of members determined and selected in equal numbers by the governor, lieutenant governor, and speaker of the house of representatives (house).

(b) Requires that a commission member to have the qualifications determined by the governor, lieutenant governor, and speaker of the house and is prohibited from concurrently serving as a member of the house or senate.

(c) Provides that a member of the commission serves at the will of the appointing authority.

Sec. 2060.003. OFFICERS; COMPENSATION; MEETINGS. (a) Requires the governor, lieutenant governor, and speaker of the house to jointly designate a presiding officer from the members of the commission. Authorizes the commission to elect other officers from its members as the commission considers appropriate.

(b) Prohibits a commission member from receiving compensation for service on the commission.

(c) Requires the commission to meet at the call of the presiding officer or the governor, lieutenant governor, and speaker of the house.

Sec. 2060.004. DUTIES. Requires the commission to complete certain tasks regarding waste, fraud, and abuse in state agency operations.

Sec. 2060.005. AGENCY COOPERATION. Requires the administrative head of a state agency to provide to the commission information requested by the commission in performing its duties under this chapter.

Sec. 2060.006. REPORT AND LIST OF RECOMMENDATIONS. (a) Requires the commission to present to the governor, lieutenant governor, and speaker of the house a report including certain results and a substantive list of certain recommendations not later than January 1, 2009.

(b) Requires the 81st Legislature in Regular Session to introduce the commission's unaltered recommendations as a bill and accept or reject, but not amend, the list of substantive recommendations by record vote.

Sec. 2060.007. APPLICABILITY OF OTHER LAW. Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, does not apply to the commission.

Sec. 2060.008. EXPIRATION. Provides that this chapter expires September 1, 2009.

SECTION 2. Requires the governor, lieutenant governor, and speaker of the house to appoint commission members as required under Chapter 2060, Government Code, as added by this Act, as soon as practicable after this Act takes effect.

SECTION 3. Effective date: upon passage or September 1, 2007.