

BILL ANALYSIS

Senate Research Center
81R1643 ACP-D

S.B. 56
By: Zaffirini
Administration
4/29/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 1973, the legislature directed the Legislative Budget Board (LBB) to establish a system of fiscal notes identifying the probable costs of any bill or resolution that would authorize or require the expenditure of state funds for any purpose other than those provided for in the General Appropriations Act. Since 1977, the rules of both the house of representatives and the senate have required fiscal notes on bills that would have statewide impact on units of local government. In 1987, the legislature began requiring that a criminal justice policy impact statement also be included in fiscal notes. In 1990, the legislature added the requirement for equalized education funding impact statements, and in 1993, the legislature directed LBB to provide tax equity notes.

Currently, there is no requirement that a bill be accompanied by a statement that would explain the bill's effect on children. Because bills are accompanied by a fiscal note and a bill analysis, attaching supplemental documentation to a bill for transparency and clarity is not unprecedented.

As proposed, S.B. 56 improves transparency in the legislative process by requiring that all legislation considered in the Texas senate and house of representatives be analyzed with respect to the impact the measures would have on Texas children. The bill requires the Legislative Budget Board (LBB) to prepare a child impact statement for each bill or joint resolution other than an appropriations bill. S.B. 56 also requires that certain entities in the executive or legislative branch of state government provide LBB with any assistance or information to help LBB prepare a child impact statement. Finally, the bill requires that the child impact statement be attached to the bill or joint resolution before a committee hearing on the bill or joint resolution is authorized to be conducted.

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 the heading to Chapter 319, Government Code, to read as follows:

CHAPTER 319. New heading: MISCELLANEOUS IMPACT STATEMENTS

SECTION 2. Amends Chapter 319, Government Code, by adding Subchapter A, as follows:

SUBCHAPTER A. LEGISLATION AFFECTING CHILDREN

Sec. 319.001. DEFINITION. Defines "joint resolution."

Sec. 319.002. CHILD IMPACT STATEMENTS. (a) Requires the Legislative Budget Board (LBB) to prepare a child impact statement for each bill or joint resolution other than an appropriations bill.

(b) Requires that the child impact statement contain the information specified by Subsection (c) and any additional information specified by a rule or resolution adopted by either house of the legislature.

(c) Requires that the child impact statement state whether the proposed bill or joint resolution will affect certain needs of children, impact specific groups of children more than others, and impact the ability of parents and caregivers to ensure children's emotional, physical, intellectual, and financial well-being.

Sec. 319.003. ASSISTANCE BY OTHER AGENCIES. Requires that each board, commission, office, or other agency in the executive or legislative branch of state government provide LBB with any assistance or information LBB requests in preparing a child impact statement.

Sec. 319.004. ATTACHMENT TO BILL OR RESOLUTION. (a) Requires that the child impact statement be attached to the bill or joint resolution before a committee hearing on the bill or joint resolution is authorized to be conducted.

(b) Requires that the child impact statement be attached to the committee report of the bill or joint resolution and to all subsequent printings.

(c) Requires that the child impact statement remain with the bill or joint resolution throughout the legislative process, including on submission to the governor.

SECTION 3. Redesignates Section 319.021, Government Code, as Subchapter B, Chapter 319, Government Code, and adds a heading, to read as follows:

SUBCHAPTER B. LEGISLATION REGARDING JUDICIAL SYSTEM

SECTION 4. Effective date: September 1, 2009.