

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 459
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Business & Commerce
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 459 creates an Advisory Council on Cultural Affairs in the Office of the Governor (governor's office) to advise the governor's office on furthering the economic, social, legal, and political contributions and equality of Hispanics in Texas.

Hispanics in this state are a fast growing and emerging population. According to various demographic reports, between the years 2000 and 2006, Texas' Hispanic population grew by nearly 11 percent. In 2006, while 48.3 percent of our state population was White, Hispanics amounted to 35.7 percent of our population. In 2003, the United States Census Bureau reported that while 17 percent of our nation's population was of Hispanic/Latino origin, Texas had nearly 10 million people (more than 38 percent of its population) of Hispanic/Latino origin.

While the growth of the population continues, Hispanics are underrepresented in different sectors of our society. For example, only about one-fifth of all businesses in our state are Hispanic-owned firms. In terms of appointments to state boards and commissions, of the 8,149 appointments that have been made over the last 14 years, Hispanics received only 13.5 percent.

The creation of this advisory council will help address the needs of this fast-growing population through its development of research and legislative recommendations. The council would advise the governor's office on initiatives that could help further the economic, social, legal, and political contributions and equality of Hispanics in Texas.

C.S.S.B. 459 amends current law relating to the creation of the Advisory Council on Cultural Affairs in the office of the governor.

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 Subtitle E, Title 4, Government Code, by adding Chapter 470, as follows:

CHAPTER 470. ADVISORY COUNCIL ON CULTURAL AFFAIRS

Sec. 470.001. DEFINITIONS. Defines "council" and "state agency."

Sec. 470.002. ESTABLISHMENT. Provides that the Advisory Council on Cultural Affairs (council) is established in the Office of the Governor to advise the office on furthering the economic, social, legal, and political contributions and equality of the Hispanic population of this state.

Sec. 470.003. COMPOSITION; TERMS. (a) Provides that the council is composed of nine members appointed as follows: one ex officio member of the legislature appointed by the speaker of the house of representatives, one ex officio member of the legislature appointed by the lieutenant governor, and seven members appointed by the governor.

(b) Provides that members appointed by the speaker of the house and the lieutenant governor serve two-year terms. Provides that members appointed by the governor serve four-year staggered terms, with either three or four members' terms expiring February 1 of each odd-numbered year.

(c) Requires the appointing officials, in making appointments to the council, to attempt to achieve geographic representation of the Hispanic population from all areas of the state.

(d) Requires the governor to designate the chair and vice chair of the council from among the members of the council.

Sec. 470.004. MEETINGS. Requires the council to meet at least quarterly each fiscal year. Authorizes the council to hold meetings by conference call.

Sec. 470.005. COMPENSATION. Provides that a member of the council is not entitled to compensation or reimbursement of expenses incurred in performing council duties.

Sec. 470.006. DUTIES. Sets forth certain duties required of the council.

Sec. 470.007. RECOMMENDATIONS. (a) Requires the council to submit a report of the council's recommendations to the governor, lieutenant governor, and speaker of the house of representatives not later than October 1 of each even-numbered year.

(b) Requires the council include in the report recommendations about the status and funding of state programs designed to address the needs of the Hispanic population, and reforms, policies, and statutory changes to further the economic, social, legal, and political contributions of Hispanics in the state.

Sec. 470.008. EXEMPTION. Provides that Chapter 2110 (State Agency Advisory Committees) does not apply to the council.

Sec. 470.009. ASSISTANCE OF STATE AGENCIES. Requires that state agencies and political subdivisions of this state cooperate with the council to the greatest extent practicable to fully implement the council's statutory duties.

SECTION 2. Requires the speaker of the house of representatives, the lieutenant governor, and the governor, not later than October 1, 2015, to appoint the members of the advisory council established by Chapter 470, Government Code, as added by this Act. Requires the governor, in appointing the initial members of the council, to appoint three persons to terms expiring February 1, 2017, and four to terms expiring February 1, 2019.

SECTION 3. Effective date: upon passage or September 1, 2015.