
Introduction

Purpose – To eliminate or reduce the frequency of reports required by state law to be submitted by a state agency or institution of higher education to another state agency or office, without compromise to the need of the Governor and the Texas Legislature to be made aware of the activities and financial status of state government.

The 2015 Report includes statutory changes to reports from the 83rd Legislative Regular and Called Sessions and any report assessments.

About The Report

This report replaced a report previously issued by the State Comptroller of Public Accounts. The comptroller's report was never required by statute, but was an outgrowth of the ongoing performance reviews conducted by that office. Those reviews are now carried out by the Legislative Budget Board. The 79th Legislature required the Texas State Library and Archives Commission, by a rider to the General Appropriations Act, to assume the task of compiling the report. The Commission's first edition appeared in 2007 and biennially since then. The rider continues in the current budget.

Text of Budget Rider #4:

By January 1, 2015, the Texas State Library and Archives Commission, with the assistance of all agencies, shall prepare a complete and detailed written report indexing all statutorily required reports prepared by and submitted to a state agency as defined by Government Code 441.180 (9) and providing detail about the preparing agency, title of report, legal authority, due date, recipient, and a brief description. The report shall provide indexes by (1) preparing agency, (2) title of report, and (3) report recipient, and the detail section shall be arranged by preparing agency. This report shall include an assessment from each receiving agency for each statutorily required report affirming or denying its continued usefulness to that agency. This report shall be provided to the Governor and the Legislative Budget Board and be made available to the public.

The report of the state comptroller listed required reports without an evaluation of their usefulness to the conduct of government. The rider transferring the duty to the commission required that the final report contain an assessment by each recipient agency of each report's usefulness to that agency.

The report issued by the state comptroller issued in April 2004 for the 2004-2005 Biennium was the starting point for this report.

Reports not included in this report:

- Any report required by a rider to the General Appropriations Act
- Any report required by a statute enacted by the Legislature that expires by its own terms on or before September 1, 2015
- Any report required of any agency whose submission is optional
- Routine notifications, notices, and announcements

About the 2015 Required State Reports Project

Results of 2013 Legislative Session – A number of bills passed that affected listed reports and an Interim Charge reviews the report itself.

- **SB59 affected some 165 reports.** Repealed 57, changed 106, and created 2 new reports enacting some of the assessment recommendations in the 2013 Required Reports.
- The Legislative Council provided lists of all repealed legislation and passed bills that were most likely to include report requirements. The Texas State Library and Archives Commission used these lists to review a subset of the many bills passed by the 83rd Legislature in 2013. Including the effects of SB59, the review added about 93 reports, changed 143 reports, and 102 reports were repealed or expired.
- The Senate Committee on Government Organization reviewed the Required State Reports project as a part of their interim charges. Watch for the Committee’s interim report for results of the review. Lieutenant Governor David Dewhurst’s Interim charge states:

Examine state agencies’ mandated reporting practices, the necessity and utility of these reports, and reporting processes to the legislature and to the public. Make recommendations on eliminating unnecessary and duplicative reports, reducing state costs through the use of technology, and improving transparency to the legislature and citizens.

Recommendations in the 2015 Report

The Texas State Library and Archives Commission contacted all recipients for recipient recommendations for the 2015 report. Past assessments were not carried forward to this edition. Recommendations appear next to the recipient agency that submitted the assessment.

Recipient report assessments – The Texas State Library and Archives Commission contacted 49 recipients and requested report assessments. Where possible, requests were grouped by high-level recipients. For example, all Health and Human Services Commission-related recipients were included in one contact. Recipients were requested to return report assessments in the following categories:

1. **Repeal** –agency recommends the report be repealed
2. **Duplicative** – the report duplicates another report (specify statute and name of other report)
3. **Frequency** –agency believes the report could be prepared at a different frequency and why. For example, agency recommends changing an annual report to biannual submission because that is when data becomes available.
4. **Other Reason** – explain how the statute could be changed and why

Responses from about half of the agencies polled suggested that 10 reports might be repealed, that 2 reports might be duplicates, that 2 reports might get different due dates, and 202 assessments were made in the “Other” category. Most of the “Other” recommendations suggested retaining those reports.

Reporting to the Legislature

The legislature is a statutory recipient for many of the reports listed in this report. In addition, however, members of the legislature must be informed about the availability of other reports and be provided a copy on request. Preparing agencies should pay close attention to these provisions of the Government Code:

§ 2052.002. Distribution of Publications to Legislators.

- (a) To avoid waste in the duplication and distribution of state agency publications, a state agency that issues a publication relating to the work of the agency and distributes the publication to members of the legislature shall send to each member before distributing the publication an electronic notice to determine whether the member wants to receive the publication.
- (b) The state agency shall include with the notice a brief written summary of the publication.
- (c) A member who elects to receive the publication shall notify the state agency. The member may notify the agency electronically.
- (d) This section does not apply to a report that is required by law.
- (e) In this section, "state agency" means:
 - (1) a department, commission, board, office, or other agency that is in the executive branch of state government and that was created by the constitution or a statute of this state;
 - (2) a university system or institution of higher education as defined by Section 61.003, Education Code; or
 - (3) the supreme court, the court of criminal appeals, a court of appeals, or the Texas Judicial Council.

§ 2052.0021. Distribution of Reports to Legislators.

- (a) In this section, "state agency" has the meaning assigned by Section 2052.002.
- (b) Notwithstanding other law, a state agency report required by law may be made available to members of the legislature only in accordance with this section.
- (c) A state agency shall make each report required by law available to members of the legislature only in an electronic format determined by the Texas Legislative Council.
- (d) At the time a report required by law is ready for distribution outside the state agency, the agency shall send notice to each member of the legislature that the report is available. The agency shall send the notice electronically. The notice must briefly describe the subject matter of the report and state the manner in which the member may obtain the report electronically.

State Publications Depository Program

State law requires that copies of many of the reports listed in this report must be submitted to the State Publications Depository Program of the Texas State Library and Archives Commission. We encourage preparing agencies to become familiar with these requirements. See Government Code, §§ 441.101-441.103 and 441.1035; and the Texas Administrative Code, Title 13, §§ 3.1-3.4 and 3.6-3.8.

Contact Information

Comments, suggestion, or questions concerning this report should be directed to the State and Local Records Management Division of the Texas State Library and Archives Commission by calling (512) 463-7610 or by email at slrminfo@tsl.texas.gov.

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Required Reports

Guide to Required Reports

Preparer (Preparing Agency) – The name of the agency, institution of higher education, or other state entity required by law to prepare the report. The rider that requires the commission to prepare the report specifies that the general public will be among the recipients. For that reason, the report does not use the agency numbers assigned by the state comptroller, since most members of the public are not familiar with those numbers. The first section of the report is arranged alphabetically by the preparing entity. There may be slight variations from year to year.

Reports required to be filed by more than one state entity are found under the following alphabetical headings:

- Higher Education Institutions, All
- Public Community/Junior Colleges, All
- State Agencies (except for Higher Education Institutions), All
- State Agencies and Higher Education Institutions, All

Report Title – The title of the report. Since state law rarely establishes the precise name of a report, the title should be regarded as an approximation of what the Preparer may actually title their report.

Legal Authority – A citation to any Texas statute or session law that requires the preparation and submission of the report. Although some citations refer to subsections of a section, users should consult the full section in order to understand the context of the requirement.

Report Number – This report derives from a Microsoft Access[®] database program. The number of a listed report is assigned by the database. Use of this number will allow the Texas State Library and Archives Commission to easily locate and edit the various fields of a required report.

Description – A description, often condensed, of the required contents of the report, derived from the actual wording of the statute requiring the report. In some instances, if the law has extensive requirements, we refer users to the statute itself. In all cases, however, preparing and receiving agencies and other users of the report should consult and read all of the cited statute.

Due Date – The date when the report is due to recipients.

Recipient(s) – The entities that by law must receive the report.

Recipient Assessment(s) 2015 – This field contains any recommendations from the report's recipient(s). Assessments may be that the report requirement be retained, repealed or amended regarding recipient(s), frequency, or contents.

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