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# 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 2021 Report includes statutory changes to reports from the 86<sup>th</sup> Legislative Regular and Called Sessions, if any, and any report assessments.

## About the Report

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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:

Report of Reports. By January 1, 2021, 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, 2021
- Any report required of any agency whose submission is optional
- Reports by an advisory committee to the agency it advises
- Routine notifications, notices, and announcements

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## About the 2021 Required State Reports Project

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### Results of 2019 Legislative Session

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- 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 86<sup>th</sup> Legislature in 2019. **The review added 95 reports, changed 271 reports, and 141 reports were repealed, expired, or deleted.**

### Recommendations in the 2021 Report

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The Texas State Library and Archives Commission contacted all recipients for recipient recommendations for the 2021 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 87 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 half of the agencies polled suggested that 9 reports might be repealed, that 8 report might be duplicates, that 8 reports need different due dates, and 23 assessments were made in the “Other” category. An additional 62 “Other” recommendations suggested retaining those reports.

Additionally, the Texas State Library and Archives Commission identified 53 reports whose recipient is “Unspecified” by statute and 36 reports the preparing agency must post to its internet website but have no other recipients.

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## Reporting to the Legislature

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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.

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## State Publications Depository Program

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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, § 3.1-3.8.

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## Contact Information

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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](mailto: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<sup>®</sup> 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) 2021** – 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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