



Sunset Advisory Commission
Effectiveness and Efficiency in
State Government

House State Affairs Committee, Alaska House of Representatives

April 2, 2024

What is Sunset?

- Sunset is a process that automatically abolishes a state agency at a fixed date unless the Texas Legislature passes a bill to continue the agency.
- The Sunset Commission is the legislative body that evaluates the continuing need for state agencies and recommends to the full Legislature whether the agency should be continued or abolished.
- The Sunset Commission evaluates the state agencies in a structured, focused, and regularly scheduled way, looking at their efficiency, effectiveness, fairness, and accountability in delivering services and programs for Texans.
- This process creates a strong incentive to assess the need for an agency and its performance and make changes to streamline and improve state government.

Why Does Texas Have Sunset?

- Accountability and transparency.** Governments need to be accountable and transparent to citizens.
- Turbulent 1970s, with budget and trade deficits, rising inflation and unemployment, OPEC energy crisis, Vietnam War, national Watergate political scandal; a major stock fraud scandal in Texas.
 - Public concerns with government growth and spending, and the need for more legislative control of state agencies and programs.
 - In response, the Texas Legislature created the Sunset Advisory Commission in 1977 to hold agencies accountable, limit government growth, and improve government programs and services.
 - Texas was the second state to create a Sunset process. Today, 36 states have some form of sunset process for occupational licensing laws.

Sunset Advisory Commission

12 Members

6 appointed by the
Lieutenant Governor



5 Senators

1 Public Member

6 appointed by the
Speaker of the House



5 Representatives

1 Public Member

4-year terms

2-year terms

Chair and Vice Chair rotate between
the Senate and House each biennium.

30-member staff supports the Sunset Commission.

Sunset Commission Members

2023-2025 Review Cycle

House Members

Justin Holland, Chair

Keith Bell

Terry Canales

Matt Shaheen

To be appointed

Jeff Austin, III, Public Member

Senate Members

To be appointed, Vice Chair

Angela Paxton

Charles Schwertner, M.D.

To be appointed

To be appointed

To be appointed, Public Member

Eric Beverly, Executive Director

Agencies Under Sunset Review

- 131 agencies are under Sunset review through 2035.
 - Most are executive branch agencies.
 - Universities and courts are exempt.
- The Texas Legislature meets every two years and sets the Sunset review schedule.
- Most agencies are reviewed every 12 years, with an average of 22 agencies under review in between legislative sessions.

2024–2025 Review Cycle

- Texas Department of Criminal Justice
 - Correctional Managed Health Care Committee
 - Board of Pardons and Paroles
 - Windham School District
- Texas Ethics Commission
- Department of Information Resources
- Texas Lottery Commission
- Texas Real Estate Commission*
- River Authorities
 - Angelina and Neches River Authority
 - Lower Neches Valley Authority
 - Sabine River Authority of Texas
 - Trinity River Authority of Texas

* Special purpose review

Types of Sunset Dates in Law

Subject to abolishment

SUNSET PROVISION. (a) The Department of Information Resources is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, **the department is abolished and this chapter expires September 1, 2025.** (*Sec. 2054.005, Texas Government Code*)

Subject to review, but not abolishment

SUNSET PROVISION. The (Texas Ethics) commission is subject to review under Chapter 325 (Texas Sunset Act), **but is not abolished under that chapter.** The commission shall be reviewed during the periods in which state agencies abolished in 2013 and every 12th year after that year are reviewed. (*Sec. 571.022, Texas Government Code*)

Limited or special purpose reviews

... the Sunset Advisory Commission shall conduct **a special-purpose review** of the Texas Real Estate Commission for the 89th Legislature ... **staff evaluation and report must be limited to reviewing the disclosures required by law to be made by a seller of real property in this state and the forms developed by the Texas Real Estate Commission to provide the required disclosures ...** the commission's recommendations to the 89th Legislature may include any recommendation the commission considers appropriate based on the special-purpose review. (*Section 5.01, SB 1659, 88th Legislature, Regular Session 2023*)

Why Would Sunset Abolish an Agency?

- If the agency's goals have been achieved
- If the problem the agency was intended to address no longer exists
- If the agency's function could be performed with less restrictive or alternative methods
- If the agency's responsibilities overlap with or duplicate those of other agencies

Sunset Review Process

Phase 1: Sunset staff evaluation and staff report

- Agency submits self-evaluation reports to the Sunset Commission.
- Sunset staff performs extensive research and analysis on the need for, performance of, and improvements to the agency.
- Sunset staff publishes report on the agency with findings and recommendations to the Sunset Commission.
- Public input is confidential *before* the staff report is published.

Phase 2: Sunset Commission public meetings

- The Sunset Commission holds a public hearing on the staff report, followed a month later by a decision meeting on recommendations to the Legislature.
- Public input is not confidential *after* the staff report is published.

Phase 3: Legislative action

- The Texas Legislature introduces a Sunset bill.
- The public may participate as usual during the legislative session.

Sunset Review Standards

- Texas Sunset Act criteria (Texas Government Code, Chapter 325).
- Across-the-board “good government” provisions applied to almost all agencies.
- Model standards for licensing and regulatory agencies.
- Industry-specific best practices.

Sunset Review Schedule

September 2023

- Agencies' self-evaluation reports are posted on the Sunset Commission's website.

October 2023 – January 2025

- Sunset staff conducts reviews and publishes reports online.
- The Sunset Advisory Commission holds public hearings and decision meetings.
- The public can submit comments and subscribe to email alerts on staff reports and public meetings at www.sunset.gov.

January — June 2025

- The Texas Legislature considers Sunset bills for each agency under review.

Sunset by the Numbers

- **Streamlining state government.**

- 42 agencies and programs abolished since Sunset's inception in 1977.
- 53 agencies and programs consolidated since 1977.

- **Saving taxpayer money.**

- \$1 billion in state and federal savings and revenue gains since 1985, when Sunset began tracking.
- Return of \$16 for every \$1 appropriated to Sunset since 1985.

- **Improving state agencies and laws.**

- 591 reviews of state agencies and programs since 1977.
- 80% of the Sunset Commission's statutory recommendations have passed the Legislature since 2001.
- Major reforms in every area of government.

Sunset's Results in 2023

- The Sunset Commission reviewed 21 agencies for the 2023 legislative session. The Legislature passed 95 percent of Sunset's funding and statutory recommendations.
- The commission also adopted 85 management directives to improve agency operations.
- Changes made through the Sunset process in 2023 will improve state government by:
 - Abolishing unnecessary state agencies and programs, lowering state expenditures, and modernizing outdated state laws.
 - Reducing state regulation of businesses and occupations, while continuing to protect the public and providing a more equitable path to working in Texas.
 - Eliminating duplication among state agencies and programs, increasing public participation and government accountability, and improving the quality, consistency, and efficiency of state government services.

Learn More About Sunset

www.sunset.texas.gov

- *Sunset in Texas*: downloadable PDF with the Texas Sunset Act, 12-year review schedule, review criteria, and more.
- Separate web pages with reports and staff contact for each agency under review.
- Sunset Commission members, staff, and meeting agendas.
- Past Sunset reviews, reports, and results.
- Sign up for Sunset e-mail lists.

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Questions?