

## Testimony to the House Government Accountability and Oversight Committee on Senate Bill 329

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Good Morning Chairman Blessing, Vice-Chair Rezabek, Ranking Member Clyde and members of the committee. My name is Wendy Patton. Thank you for the opportunity to offer opponent testimony on Senate Bill 329.

Senate Bill 329 would give legislative committees the power to eliminate state departments in the Governor's cabinet through a new "sunset" process. The process could be [highly public](#) or it could be invisible. Whole departments could cease to exist without a vote of the legislature if a committee reviewing that department does not act to renew.

No one would seriously suggest that we shut down our universities, prisons and nursing homes, lay off our state highway patrol officers and end all projects to keep up our roads and bridges. If legislators want to make sure these operations are accountable, there are numerous existing ways to do so. The first is the state budget process. If the legislature believes that a standalone agency is not necessary and should be consolidated with another, it can do so at any time. If it finds duplication, or mission creep, or conflict of interest, it can reduce or increase funding, call in the state auditor or get the office of the inspector general involved.

Promoters of the sunset law admit it is a tool for legislatures to use in asserting authority against an executive branch. It's a time consuming and expensive approach. Texas is the only state in which executive departments are vetted for continuation (by a 12-member commission with a professional staff of 28). Like SB 329, the [Texas Sunset Provision](#) abolishes state agencies unless the legislature "renews" them. However, under SB 329, if a legislative committee reviewing an agency hits a stalemate or chooses not to act, the legislature may never get to a vote. The agency will be shut down. In Texas, agencies are up for sunset once every 12 years. Under SB 329, they could be abolished once every four years.

Businesses small and large, from highway contractors to hospitals and nursing homes, should be concerned about SB 329. Systemic uncertainty about how government operates and regulates would hamper long-term planning and stable growth. Some businesses might need to factor in the possibility that an agency that buys their products, regulates them or provides a market for them would be eliminated or changed every four years. This could even encourage campaign contributions to sway legislative action.

The notion that we are going to shut down the state budget office, the Department of Natural Resources or other critical agencies is no laughing matter. Senate Bill 329 proposes an expensive process that would divert time and resources from the delivery of important public services.