

THE SUNSET COMMITTEE

Committee Composition and Selection

12 members equally divided between the Senate and the House of Representatives as follows.

- 3 members elected from each house serve during their terms as legislators, or until their successors are elected.
- 2 members from each house appointed by the respective presiding officers.
- 2 ex officio members - the President Pro tempore of the Senate and the Speaker Pro tem of the House of Representatives
- A chairman is elected by the committee members, alternating annually between the Senate and the House of Representatives.
- Any vacancy is filled by the presiding officer of the house in which the vacancy occurred.

Committee Operations

The Sunset Committee is required to review each year the operations of state agencies scheduled for review in the sunset law or in the agency's enabling law. The Sunset Committee can review the operations of any additional state agency.

The Sunset Committee can recommend one of three alternatives for each agency:

- Continue without modification,
- Continue with modification,
- Termination. Termination is automatic for agencies named in the sunset law or in their enabling law as subject to the sunset process. A bill to continue them is necessary to prevent termination. Other agencies will not terminate unless a bill to terminate them becomes law.

The Department of Examiners of Public Accounts assists the committee by obtaining, compiling, and evaluating information and produces a report on each agency for use by the committee.

The services of an attorney from the Legislative Reference Service are provided to the Sunset Committee.

The Sunset Committee schedules a number of meetings between legislative sessions, each to consider information about specific agencies. A part of each meeting is a public hearing at which agency governing bodies and executive officers are expected to attend and answer questions from the Sunset Committee.

The Sunset Committee's recommendations take the form of bills submitted to the legislative house of which the chairman is a member. The committee normally takes no official action until its final meeting, which is a business meeting to decide the contents of the sunset bills.

Frequency of Review and Analysis of Agencies

Every 4 years state agencies named in the Sunset Law in the *Code of Alabama 1975*, Section 41-20-3 are reviewed.

Every 4 years state agencies with sunset provisions in their enabling statutes are also reviewed, unless the sunset provision provides for a different schedule.

The Sunset Committee can review agencies sooner than the schedule prescribed by law.

Agencies not named in the law as subject to the sunset process can be reviewed at the discretion of the Sunset Committee at any time.

Either house of the legislature may, by resolution, require the Sunset Committee to review any state agency.

Legislative Actions on Sunset Bills

The *Code of Alabama 1975*, Section 41-20-10 describes the conditions of debate and voting on bills submitted as recommendations of the Sunset Committee. Sunset bills are submitted by the Sunset Committee to the house of which the committee chairman is a member.

On the 10th legislative day of the regular session, one hour after the convening of the house of which the committee chairman is a member, Sunset bills must become the first order of business from day to day until voting is complete. Other business may take precedence by a 3/5 vote of members present and voting.

On the 5th legislative day after passage of Sunset bills by the house of which the committee chairman is a member, sunset bills must become the first order of business from day to day until voting is complete. Other business may take precedence by a 3/5 vote of members present and voting.

Debate is limited by the provisions of the *Code of Alabama 1975*, Section 41-20-10.

Like other bills, sunset bills can be amended or substituted in legislative committees or on the floor of either house.