

# Sunset Review: What Are an Agency's Responsibilities?



A **sunset review** is an evaluation of the need for the continued existence of a program or an agency. It allows for an assessment of the effectiveness and performance of the program or agency. The review yields a recommendation to either (1) retain the program or agency as is; (2) modify the program or agency; or (3) allow the program or agency to terminate, including the repeal of the relevant statutes.

## WHO CONDUCTS SUNSET REVIEWS?

Staff of the Joint Legislative Audit & Review Committee (JLARC) conduct these reviews.

## WHAT TRIGGERS A SUNSET REVIEW?

A sunset review is triggered when a bill adds sections to Chapter 43.131 RCW. A bill scheduling a sunset consists of two sections: one section that terminates the program or agency in a specified year, and a second section that repeals the underlying statutes the following year. Note that a sunset review is triggered even though there is no express direction in the two sections for JLARC to conduct such a review.

## WHAT CRITERIA ARE USED IN THE REVIEWS?

The criteria are specified in RCW **43.131.071**, which calls for review of the extent to which an entity:

- Has complied with legislative intent;
- Is operating in an efficient and economical manner, with adequate cost controls in place;
- Is reaching expected performance goals and targets; and
- Is undertaking activities duplicated by another entity or the private sector.

The review also examines the possible impact of the termination or the modification of the entity.

## WHAT ARE AN AGENCY'S RESPONSIBILITIES?

The agency is required to perform several specific tasks, in preparation for the sunset review, as noted in RCW **43.131.061**. The agency shall:

- Develop performance measures;
- Develop a data collection plan;
- Submit the performance measures and data collection plan to JLARC within one year of the effective date of the sunset legislation;
- Implement the data collection plan; and
- Submit resulting performance information to JLARC.

The agency has the "burden of demonstrating the extent to which performance results have been achieved." JLARC is required to evaluate the agency, in part, in terms of the performance results.

## FOR MORE INFORMATION CONTACT:

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