

BILL ANALYSIS

S.B. 220
By: Zaffirini
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The comptroller of public accounts' statewide procurement division operates the Texas Multiple Award Schedule (TxMAS) contracting program, which adapts existing competitively awarded contracts from the federal government or another governmental entity to service the procurement needs of state agencies. If a state agency uses federal funds to make a TxMAS purchase, state law requires the comptroller to ensure that the portion of that rebate that includes federal funds is reported to the purchasing agency as necessary. Because the comptroller does not know the portion of the purchases that are paid with federal funds, the comptroller cannot accurately provide that corresponding amount. S.B. 220 seeks to remedy this issue by instead requiring the comptroller to provide agencies with the rate at which these rebates are calculated so the agencies can do their own reporting.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 220 amends the Government Code to remove the requirement for the comptroller of public accounts to ensure that, with respect to a purchase made by a state agency from a vendor under a contract listed on a multiple award contract schedule, to the extent the purchase was made with federal funds, the appropriate portion of the rebate is reported to the purchasing agency for reporting and reconciliation purposes with the appropriate federal funding agency. The bill establishes the following requirements instead:

- the comptroller must notify a state agency purchasing a good or service through such a contract of the percentage used to calculate the rebate that the comptroller may collect from the vendor under the contract; and
- the purchasing agency must ensure, to the extent the purchase was made with federal funds, that the appropriate portion of the rebate is reported to the appropriate federal funding agency.

EFFECTIVE DATE

September 1, 2021.