

- SUBJECT:** Abolishing the State Procurement Advisory Council
- COMMITTEE:** Government Transparency and Operation — favorable, without amendment
- VOTE:** 7 ayes — Elkins, Capriglione, Gonzales, Lucio, Shaheen, Tinderholt, Uresti
- 0 nays
- WITNESSES:** For — None
- Against — None
- On — (*Registered, but did not testify:* Bobby Pounds, Comptroller of Public Accounts)
- BACKGROUND:** In 2007, the 80th Legislature enacted HB 3560 by Swinford, which transferred state purchasing authority from the former Texas Building and Procurement Commission to the comptroller and established the Statewide Procurement Advisory Council to oversee procurement of contracts with an estimated value of \$100,000 or more. Government Code, sec. 2155.086 requires that these contracts be awarded in an open meeting chaired by the chief clerk of the comptroller. The comptroller's office must post on its website a notice and the text of each contract awarded in a meeting. Sec. 2155.087 requires that a quorum of the Statewide Procurement Advisory Council attend each meeting and make recommendations to the chief clerk.
- DIGEST:** HB 1116 would abolish the Statewide Procurement Advisory Council and repeal provisions relating to procedures for awarding contracts with an estimated value of \$100,000 or more.
- The bill would take effect September 1, 2017.
- SUPPORTERS** HB 1116 would help increase government efficiency by removing an

SAY: unnecessary level of bureaucracy in the state procurement process. The Statewide Procurement Advisory Council, which expired in 2011 but still is required under current statute to hold meetings, has outlived its utility. The council originally was created to review large contracts and ease any transparency concerns about transferring the procurement process from the seven-member Texas Building and Procurement Commission to a single elected official. However, the required meetings to award these contracts have lengthened the procurement cycle and added little transparency or guidance.

Abolishing the advisory council and removing its approval procedures would not impact public access to statewide records and contracts. The comptroller's office could maintain the same level of transparency through other contract posting requirements. Currently, agencies must post all contracts exceeding \$25,000 in the Electronic State Business Daily and report certain contracts to the Legislative Budget Board database, both of which are accessible to the public.

**OPPONENTS
SAY:** No apparent opposition.

NOTES: The companion bill, SB 632 by Buckingham, was left pending in the Senate Business and Commerce Committee on April 11.