

- SUBJECT:** Allowing districts to adopt uniform conditions for school construction
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 11 ayes — Dutton, Lozano, Allen, Allison, K. Bell, Bernal, Buckley, M. González, Huberty, K. King, Talarico
- 1 nay — VanDeaver
- 1 absent — Meza
- SENATE VOTE:** On final passage, April 7 — 30-0
- WITNESSES:** For — Corbin Van Arsdale, AGC-Texas Building Branch; (*Registered, but did not testify*: Wade Long, Associated Builders and Contractors of Texas; Barry Haenisch, Texas Association of Community Schools; Amy Beneski, Texas Association of School Administrators; Hugo Gonzalez, Texas Association of School Boards)
- Against — None
- On — (*Registered, but did not testify*: Leonardo Lopez, Texas Education Agency)
- BACKGROUND:** Government Code sec. 2166.302 requires the Texas Facilities Commission to adopt uniform general conditions to be incorporated into all building construction contracts made by the state. Sec. 2166.305 requires the commission to require a review of the uniform general conditions of state building construction contracts whenever the commission considers review worthwhile, but not less frequently than once every five years. The facilities commission appoints a committee to perform the review.
- Interested parties have noted that school districts could benefit from adopting uniform general conditions to be incorporated in their building construction contracts, which could help reduce their construction costs.

**DIGEST:** SB 338 would allow a school district, after reviewing the uniform general conditions adopted by the Texas Facilities Commission for building construction contracts, to adopt uniform general conditions to be incorporated in all district building construction contracts.

The bill would add two members to the committee appointed by the Texas Facilities Commission to perform regular reviews of the uniform general conditions of state building construction contracts. The commission would have to appoint one individual representing the Texas Association of School Boards and one individual representing the Texas Association of School Administrators. The two additional members would have to be appointed by December 1, 2021.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.