

BILL ANALYSIS

Senate Research Center
76R6393 JRD-D

S.B. 513
By: Carona
Natural Resources
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As Filed

DIGEST

Currently, Texas law encourages recycling and waste reduction within state agencies. Certain vendors and other suppliers of goods with which state agencies engage in business have instituted a business practice which prohibits the recycling or remanufacturing of any of their products. S.B. 513 requires any vendor offering to sell a product to the state to certify that, as a result of current business practice, the vendor does not restrict by contract or technical means the ability of any person to recycle or remanufacture that product.

PURPOSE

As proposed, S.B. 513 regulates state contracting with prospective vendors who restrict the ability of any of their customers to allow the recycling or remanufacturing of the vendors' product.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 2155A, Government Code, by adding Section 2155.006, as follows:

Sec. 2155.006. RESTRICTIONS ON REMANUFACTURING OR RECYCLING. Requires a vendor offering to sell a product to the state to certify on each bid or proposal submitted that neither the vendor or any other person representing the vendor, as a current business practice, restricts by contract or by technical means the ability of any person to recycle or remanufacture or to allow the recycling or remanufacturing of the product. Prohibits a state agency from acquiring the product from the vendor if the vendor does not make the certification required by this section. Requires the attorney general to prepare the certification statement. Requires the statement to be made a part of the form for a bid, proposal, or other applicable expression of interest to contract with a state agency. Provides that this section applies to the acquisition of any product by a state agency, including an acquisition that is otherwise excepted from the requirements of all or part of this chapter under Subchapter C or other law.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.