

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 3342
By: Kuempel (Elife)
Business & Commerce
5/15/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note that the office of the comptroller of public accounts of the State of Texas (comptroller's office) may use cooperative purchasing contracts for the benefit of state agencies. As an example, the parties point to a fuel contract between the City of Fort Worth and state agencies that was procured through competitive bidding and that includes multiple vendors, has provided the state with rebates on fuel purchases, and represents a best value for the state. The parties suggest that clarifying current practices associated with cooperative purchasing agreements and centralizing the functions in the comptroller's office would make the process even better. C.S.H.B. 3342 seeks to implement these suggestions.

C.S.H.B. 3342 amends current law relating to interstate compacts and cooperative agreements relating to state purchasing.

[**Note:** While the statutory reference in this bill is to Texas Facilities Commission, the following amendments affect the comptroller of public accounts of the State of Texas.]

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2156.181, Government Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Authorizes the Texas Facilities Commission (TFC) to enter into one or more compacts, interagency agreements, or cooperative purchasing agreements directly with one or more state governments, agencies of other states, or other governmental entities or to participate in, sponsor, or administer a cooperative purchasing agreement through an entity that facilitates those agreements for the purchase of goods or services if TFC determines that the agreement would be in the best interest of the state. Makes nonsubstantive changes.

(a-1) Prohibits a compact or agreement described by this section from being used to purchase services that are defined as part of the practice of engineering under Section 1001.003 (Practice of Engineering), Occupations Code, or architecture under Section 1051.001 (Texas Board of Architectural Examiners; General Provisions Affecting Architects, Landscape Architects, and Interior Designers; Provisions Affecting Only Architects), Occupations Code.

SECTION 2. Effective date: September 1, 2015.