

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 836
By: Watson
Business & Commerce
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas School for the Blind and Visually Impaired (TSBVI) is a center for educational services for all blind and visually impaired students in Texas. The Texas School for the Deaf (TSD) is established as a state agency to provide a continuum of direct educational services to students who are deaf or hard of hearing and who may have multiple disabilities.

During the 83rd Legislature, responsibility for facilities-related maintenance and operations, for both TSBVI and TSD was transferred to the Texas Facilities Commission (TFC), with certain limited exceptions. The schools each retained the title to their property and, on September 1, 2013, TFC began to provide all maintenance services at each campus excluding custodial, security, and ground maintenance activities.

Due to the essential interrelationship between custodial, grounds maintenance, and security with an effective and integrated facilities management plan, it is necessary for one agency to perform all facilities-related maintenance activities to ensure the efficient and consistent delivery of quality services. Each facilities management program area has unique challenges that require open communication and a closely coordinated approach to problem solving. Custodial services are very important to the overall cleanliness of the facility and proper housekeeping will extend the life of the building finishes, fixtures, and mechanical equipment. Custodial, ground maintenance, and pest control services go hand-in-hand and require coordination to prevent or identify early indications of infestation and eradicate pests, such as common insects, bed bugs, and rodents. Security must work closely with facilities maintenance and fire controls management to ensure effective coordination of access and fire control issues, proper functioning and oversight of automated systems, and any needed support for activities such as fire drills and fire watches. Consolidated oversight and quality control is necessary to ensure custodial, grounds maintenance, and security activities function effectively as an integral part of the facilities management team.

C.S.S.B. 836 amends current law relating to management services for the physical facilities of TSBVI and TSD by transferring the responsibility for custodial, security, and ground maintenance activities at each campus to TFC. The proposed transfers will complete the consolidation of facilities-related maintenance and operations that was initiated by the 83rd Texas Legislature. The concentration of all facilities-related maintenance and operations at TFC will allow both TSBVI and TSD to concentrate their focus on the educational and programming needs of their students.

C.S.S.B. 836 amends current law relating to management services for the physical facilities of the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf.

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 30.022(h-1), Education Code, as follows:

(h-1) Requires the Texas Facilities Commission (TFC) to provide all facilities maintenance services for the physical facilities of the Texas School for the Blind and Visually Impaired (TSBVI) as provided by Section 2165.007 (Facilities Management Services), Government Code, rather than as provided by a memorandum of understanding between the school's governing board and TFC. Deletes existing text requiring TFC to provide services including facilities construction, cabling, facility reconfiguration, and any other services.

SECTION 2. Amends Section 30.052(h-1), Education Code, as follows:

(h-1) Requires TFC to provide all facilities maintenance services for the physical facilities of the Texas School for the Deaf (TSD) as provided by Section 2165.007 (Facilities Management Services), Government Code, rather than as provided by a memorandum of understanding between the school's governing board and TFC. Deletes existing text requiring TFC to provide services including facilities construction, cabling, facility reconfiguration, and any other services.

SECTION 3. Amends Section 2165.007(b), Government Code, by deleting existing text providing that TFC's duty does not apply to facilities owned or operated by TSBVI or facilities owned or operated by TSD. Makes a nonsubstantive change.

SECTION 4. (a) Provides that, not later than September 1, 2016, the following are transferred from TSBVI to TFC:

- (1) all remaining powers, duties, functions, programs, and activities of the TSBVI relating to the maintenance of the school's physical facilities;
- (2) any obligations and contracts of TSBVI that are directly related to implementing a power, duty, function, program, or activity transferred under this subsection; and
- (3) all property and records in the custody of TSBVI that are related to a power, duty, function, program, or activity transferred under this subsection and all funds appropriated by the legislature for that power, duty, function, program, or activity.

(b) Requires TFC and TSBVI to enter into a memorandum of understanding that establishes a plan for the identification and transfer of the records, personnel, property, and unspent appropriations of TSBVI that are used for purposes of the commission's powers and duties directly related to the maintenance of the school's physical facilities under Section 30.022 (Governance of the Texas School for the Blind and Visually Impaired), Education Code.

SECTION 5. (a) Provides that, not later than January 1, 2015, the following are transferred from TSD to TFC:

- (1) all remaining powers, duties, functions, programs, and activities of TSD relating to the maintenance of the school's physical facilities;
- (2) any obligations and contracts of TSD that are directly related to implementing a power, duty, function, program, or activity transferred under this subsection; and
- (3) all property and records in the custody of TSD that are related to a power, duty, function, program, or activity transferred under this subsection and all funds appropriated by the legislature for that power, duty, function, program, or activity.

(b) Requires TFC and TSD to enter into a memorandum of understanding that establishes a plan for the identification and transfer of the records, personnel, property, and unspent appropriations of the TSD that are used for purposes of the commission's powers and duties directly related to the maintenance of the school's physical facilities under Section 30.052 (Governance of the Texas School for the Deaf), Education Code.

SECTION 6. Effective date: upon passage or September 1, 2015.