

BILL ANALYSIS

C.S.H.B. 3342
By: Kuempel
Government Transparency & Operation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that the comptroller of public accounts 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.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3342 amends Government Code provisions governing interstate procurement compacts and cooperative agreements to authorize the comptroller of public accounts to participate in, sponsor, or administer a cooperative purchasing agreement with one or more state governments, agencies of other states, or other governmental entities for the purchase of goods or services through an entity that facilitates those agreements as an alternative to entering directly into a compact, interagency agreement, or cooperative purchasing agreement with such other governmental entities for the purchase of goods or services.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3342 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter D, Chapter 2156, Government Code, is amended to read as follows:

SUBCHAPTER D. INTERSTATE COMPACTS PROCEDURE

Sec. 2156.181. INTERSTATE COMPACTS AND COOPERATIVE AGREEMENTS FOR PROCUREMENTS. (a) The commission may enter into, participate in, sponsor, conduct, or administer one or more compacts, interagency agreements, or cooperative purchasing agreements directly with, or through an entity that facilitates cooperative purchasing agreements, one or more state governments, agencies of other states, or other governmental entities for the purchase of goods or services if the commission determines that entering into an agreement would be in the best interest of the state.

(b) The commission may adopt rules to implement this section.

SECTION 2. This Act takes effect September 1, 2015.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 2156.181(a), Government Code, is amended to read as follows:

(a) The commission may 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 may participate in, sponsor, or administer a cooperative purchasing agreement through an entity that facilitates those agreements for the purchase of goods or services if the commission determines that the [~~entering into an~~] agreement would be in the best interest of the state.

SECTION 2. Same as introduced version.