

## **BILL ANALYSIS**

Senate Research Center  
76R7147 JRD-F

S.B. 1721  
By: Ellis  
State Affairs  
4/26/1999  
Committee Report (Amended)

### **DIGEST**

Currently, Texas law requires every state agency procurement of \$25,000 or more to be posted, regardless of whether or not a competitive procurement process is otherwise required. Changes are needed to clarify that only agency procurements that are subject to competitive processes must be posted. S.B. 1721 would authorize the posting of certain state procurement information on the Electronic State Business Daily.

### **PURPOSE**

As proposed, S.B. 1721 authorizes the posting of certain state procurement information on the Electronic State Business Daily.

### **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 Section 2155.074, Government Code, by amending Subsections (b), (c), (h), (n) and adding Subsections (o) and (p), to redefine "department." Requires the Texas Department of Economic Development (department) to post in the business daily information as prescribed by this section about each state agency procurement opportunity that will exceed \$25,000 in value. Provides that this section does not apply to certain actions. Provides that a bidder or offeror is not required to submit a request for information under the public information law, Chapter 552, before submitting a bid, proposal, or other expression of interest for a procurement for which notice is posted under this section. Provides that this section does not apply to a purchase of goods or services related to the Year 2000 computer and embedded system problem if the state agency must make the procurement to prevent a hazard to life, health, safety, the public welfare, or property or to avoid undue additional costs to the state. Provides that this subsection expires January 1, 2001. Makes conforming and nonsubstantive changes.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

#### **SECTION 1.**

Amends Section 2155.074, Government Code, by adding Subsection (n)(13) regarding a noncompetitive purchase of goods or services for libraries operated as part of a university system or institution of higher education, under Section 2155.139. Amends Subsection (n)(9) regarding a purchase of equipment for covert operations relating to security by a state agency performing law enforcement functions. Deletes text regarding a purchaser of lease of an automated information system through the catalogue procedure under Chapter 2157B.