

## **BILL ANALYSIS**

Senate Research Center  
78R3890 JRD-D

S.B. 1000  
By: West, Royce  
Government Organization  
3/19/2003  
As Filed

### **DIGEST AND PURPOSE**

Currently there is a provision in the General Appropriations Bill which requires a state agency to determine if Texas Legislative Council resources are available to perform a legislatively mandated statistical or demographic analysis of data before the agency uses appropriated funds to contract with a consultant or other private form of assistance to perform the analysis. As proposed, S.B. 1000 will codify language from the General Appropriations bill to enable state agencies to perform any legislatively mandated analysis "in house."

### **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 Chapter 2113C, Government Code, by adding Section 2113.108, as follows:

Sec. 2113.108. CERTAIN STUDIES INVOLVING STATISTICAL OR DEMOGRAPHIC ANALYSIS. (a) Prohibits a state agency from using appropriated money to contract with a consultant or other nongovernmental entity to perform or assist the agency in performing a statistical or demographic analysis of information collected by or for the agency in the course of conducting a study that the agency is required to conduct under state law unless the agency first contacts the Texas Legislative Council (council) to determine whether the resources of the council are available to perform or assist the agency in performing that analysis. Provides that for purposes of this section, performing a statistical or demographic analysis of information in the course of conducting a study includes designing the analysis and collecting the information required for purposes of the study.

(b) Requires the agency, if the Texas Legislative Council determines that council resources are available to perform or assist the agency in performing all or part of the statistical or demographic analysis, to contract with the council to perform or assist the agency in performing that analysis to the extent that the council determines that council resources are available to the agency.

SECTION 2. Amends Chapter 323, Government Code, by adding Section 323.020, as follows:

Sec. 323.020. CONTRACTS TO PERFORM STATISTICAL OR DEMOGRAPHIC ANALYSIS; CONFIDENTIALITY OF INFORMATION NOT AFFECTED. (a) Authorizes the council to determine whether and the extent to which council resources are available to perform or assist a state agency in performing a statistical or demographic analysis of information as described by Section 2113.108.

(b) Provides that information that the council collects in relation to the statistical or demographic analysis that is confidential under state or federal law does not lose its

confidential character because of its collection by the council, without regard to whether the council collected the information indirectly through the state agency or directly from another governmental or nongovernmental entity. Provides that an entity that voluntarily provides information to the council for purposes of the analysis does not waive any exception from required disclosure or any privilege not to disclose the information, and the confidential character of the information is not affected by that action of the entity.

SECTION 3. Effective date: upon passage or September 1, 2003.