

BILL ANALYSIS

Senate Research Center
81R3886 EAH-F

S.B. 941
By: Wentworth
Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Chapter 2254 (Professional and Consulting Services), Government Code, regulates state and local contracts and fund management for certain professional and consulting services. Geoscientific services are not within the scope of professional services for purposes of this chapter, and as such are not subject to the same regulations as other professions.

As proposed, S.B. 941 redefines professional services to include professional geoscience and professional geoscientists for purposes of Chapter 2254, Government Code.

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 2254.002(2), Government Code, by redefining "professional services" to include professional geoscience and professional geoscientist.

SECTION 2. Amends the heading to Section 2254.004, Government Code, to read as follows:

Sec. 2254.004. CONTRACT FOR PROFESSIONAL SERVICES OF ARCHITECT, ENGINEER, SURVEYOR, OR GEOSCIENTIST.

SECTION 3. Amends Sections 2254.004(a) and (b), as follows:

(a) Requires a governmental entity, in procuring architectural, engineering, land surveying, or geoscientific services, to first select the most highly qualified provider of those services on the basis of demonstrated competence and qualifications and then attempt to negotiate with that provider a contract at a fair and reasonable price.

(b) Requires an entity, if a satisfactory contract cannot be negotiated with the most highly qualified provider of architectural, engineering, land surveying, or geoscientific services, to formally end negotiations with that provider, select the next most highly qualified provider, and attempt to negotiate a contract with that provider at a fair and reasonable price.

SECTION 4. Makes application of this Act prospective to October 1, 2009.

SECTION 5. Effective date: September 1, 2009.