

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1113
By: Wentworth
Education
4/13/2011
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, when school districts are contracting for food services, the contractor is not required to competitively bid its purchase of food items. C.S.S.B. 1113 would require contractors to conduct public bids for the food items they are procuring so that the school districts are certain of receiving the greatest savings while complying with defined quality specifications.

C.S.S.B. 1113 amends current law relating to certain contracts entered into by school districts for another entity to provide food services at one or more districts schools.

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 44.031, Education Code, by adding Subsection (n), as follows:

(n) Requires that a school district contract to which Subsection (a) (relating to methods of contracting purchases by school districts) applies, under which the district contracts with another entity for that entity to manage or otherwise provide food services at one or more district schools, require that any other contract the entity makes in performance of its duties under the contract with the district and to which Subsection (a) would apply if the district were making the contract be made:

(1) under the method listed by Subsection (a) that provides the best value to the entity and the district;

(2) with consideration of the factors specified under Subsection (b) (relating to certain conditions to determine contracts), and as applicable, under Subsection (b-1) (relating to authorizing a school district to consider a bidder's personal place of business, except telecommunications or information services), in determining to whom to award a contract; and

(3) as provided by Subsection (g) (relating to notice of bids).

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2011.