

BILL ANALYSIS

Senate Research Center

S.B. 59
By: Nelson
Business & Commerce
6/17/2015
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, funding appropriated to the Texas Council on Family Violence (TCFV) has to go through the procurement process at the Health and Human Services Commission (HHSC).

This bill expedites the release of funds for family violence services by directing money, appropriated by the legislature for TCFV, to the Family Violence Program at HHSC.

S.B. 59 amends current law relating to an exemption from competitive bidding requirements for the procurement of services for victims of family violence.

RULEMAKING AUTHORITY

This bill does not expressly grant additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 51.004, Human Resources Code, to read as follows:

Sec. 51.004. CONTRACT ELIGIBILITY; PROCUREMENT; APPLICATION PROCESS.

SECTION 2. Amends Section 51.004, Human Resources Code, by amending Subsection (e), as amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, and by adding Subsections (f) and (g), as follows:

(e) Requires the Health and Human Services Commission (HHSC) to use a noncompetitive procurement procedure to award a contract under Section 51.003(a) (relating to contracts for services with family violence center) or (b) (authorizing the Department of Family and Protective Services (DFPS) to contract with family violence special projects for services) if HHSC determines that there is no competition between eligible family violence centers for services or a service area. Requires HHSC, if HHSC determines that there is competition between eligible family violence centers for services or a service area, to award a contract under Section 51.003(a) or (b) through an application process that considers the eligibility requirements and other factors provided in this section and allocates the money in accordance with this chapter and with consideration of the family violence services plan under Section 51.0021 (Family Violence Services Plan), rather than through a competitive procurement procedure.

(f) Requires HHSC to consult with a statewide family violence organization to develop the application process described in Subsection (e) but may not involve the organization in the contract selection or award process.

(g) Provides that, to the extent of any conflict between this section and any other law, including Chapter 2155 (Purchasing: General Rules and Procedures), Government Code, this section controls.

SECTION 3. Repealer: Section 51.003(d) (requiring DPFS to award all contracts made under this section through a competitive bidding process unless that process would not be cost-effective), Human Resources Code, as amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, is repealed.

SECTION 4. Provides that the changes in law made by this Act apply only to a contract awarded on or after the effective date of this Act.

SECTION 5. Effective date: upon passage or September 1, 2015.