

BILL ANALYSIS

Senate Research Center
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H.B. 1116
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1116 seeks to dissolve the Statewide Procurement Advisory Council (SPAC), a statutorily required advisory council at the office of the Texas Comptroller of Public Accounts (comptroller) that has outlived its utility. In 2007, the legislature transferred the authority for overseeing state purchasing from the former Texas Building and Procurement Commission (TBPC) to the comptroller. The legislation also created SPAC, an advisory committee to oversee the state's purchasing duties. While SPAC expired in 2011, the statute related to its meeting requirements has not. This statute requires that contracts valued at \$100,000 or more be proposed and awarded during an open meeting chaired by the deputy comptroller. Without an active advisory council, these statutorily required meetings have increased the cycle time of procurements and provided little value in the areas of transparency and guidance.

Due to the steps taken by the legislature to increase transparency within the state's procurement process in recent years, the elimination of SPAC will not impact accessibility to state purchasing records and contracts. These steps include requiring agencies to post solicitations on the Electronic State Business Daily (ESBD) as well as report all contracts exceeding specific thresholds to the Legislative Budget Board contract database, all of which is accessible to the public. Repealing the advisory council would remove a level of bureaucracy that no longer serves its original purpose, and therefore, increase government efficiency and cost-savings for statewide procurement.

H.B. 1116 amends current law relating to the repeal of certain state procurement advisory and approval procedures.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas comptroller of public accounts is rescinded in SECTION 1 (Section 2155.087, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Repealers: Sections 2155.086 (Procedures for Awarding Certain Contracts) and 2155.087 (Statewide Procurement Advisory Council), Government Code.

SECTION 2. Provides that, on the effective date of this Act, the Statewide Procurement Advisory Council is abolished.

SECTION 3. Effective date: September 1, 2017.