

## **BILL ANALYSIS**

Senate Research Center

S.B. 1877  
By: Perry  
Transportation  
6/26/2017  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Section 223.003, Transportation Code, requires the Texas Department of Transportation (TxDOT) to provide notice by mail of proposed highway construction and maintenance contracts. Non-exempt requestors are required to pay a nominal fee of \$65 per year for this service. However, the majority of requestors are exempted by law from the \$65 per year because they are qualified contractors, such as disadvantaged business enterprises (DBE) or historically underutilized businesses (HUB), and those notices are printed and mailed to the requestor at the expense of TxDOT.

#### Proposed Statutory Change

Modify the notice of proposed contracts mail requirement under Section 223.003, Transportation Code, to provide that the notice may be sent by mail or electronically to an email.

#### TxDOT Operational Impact

TxDOT would email (when available) instead of mailing the notice to contractors.

#### Fiscal Impact

TxDOT sends approximately 1,250 notices each month, at an estimated cost of \$3,500 a month for printing and mailing costs. This would also allow the staff who currently perform the mailing duties to focus their efforts on other essential tasks.

S.B. 1877 amends current law relating to sending notice of proposed contracts for highway projects by e-mail.

### **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 the heading to Section 223.003, Transportation Code, to read as follows:

Sec. 223.003. NOTICE OF PROPOSED CONTRACTS.

SECTION 2. Amends Sections 223.003(a), (b), and (c), Transportation Code, as follows:

(a) Authorizes a person to apply to have the name of the person placed on a list, rather than mailing list, to receive notice of any proposed contracts.

(b) Requires the Texas Department of Transportation (TxDOT) to send the notice to each person on that list, rather than to mail the notice to each person on that mailing list. Authorizes TxDOT to send the notice by mail or electronically to an e-mail address designated by the person.

(c) Authorizes TxDOT to require each applicant to pay an annual subscription fee set by TxDOT in an amount not to exceed the average annual costs of sending, rather than mailing, notices to the applicant.

SECTION 3. Effective date: upon passage or September 1, 2017.