

BILL ANALYSIS

H.B. 2444
By: West, George "Buddy"
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law requires the Railroad Commission to follow purchasing guidelines that in some cases may be burdensome or unnecessary for particular purchases. For example, the Commission is required to use the Building and Procurement Commission's Master Bidder's List for its well plugging program, which involves sending bid notices to over 400 vendors, although only 50 vendors are certified to perform those services. The purpose of House Bill 2444 is to give the Railroad Commission additional flexibility with respect to the procedures it must follow for certain purchases.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, institution, or agency.

ANALYSIS

House Bill 2444 amends Section 81.021, Natural Resources Code (Delegated Purchases), to authorize the Railroad Commission to purchase goods and services under Section 2155.132(a), Government Code, if the purchase does not exceed \$300,000.

The bill amends Subchapter C, Chapter 81, Natural Resources Code by adding Section 81.057 (Exemption from Certain Purchasing Rules) to provide that the Railroad Commission is not required to follow any purchasing procedures prescribed by or under the following sections of the Government Code when the commission makes a purchase in connection with the remediation of surface locations or well plugging:

- Subchapter E, Chapter 2155 (Master Bidder's List);
- Section 2161.003, 2161.004, and Subchapters D and F, Chapter 2161 (Relating to Historically Underutilized Businesses)
- Subchapters B and C, Chapter 2177 (Relating to Electronic Commerce).

The bill also amends Section 2158.004, Government Code (Vehicles Using Alternative Fuels), by adding Subsection (e) to provide that, except for the purchase or lease of a motor vehicle for use in a nonattainment area designated under Section 107(d) of the federal Clean Air Act, as amended, subsection (a) of Section 2158.004 (which generally requires state agencies operating a fleet of more than 15 vehicles to purchase vehicles capable of using alternative fuels) does not apply to a purchase or lease by the Railroad Commission of Texas.

EFFECTIVE DATE

September 1, 2003.

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