

## **BILL ANALYSIS**

C.S.H.B. 3042  
By: Cook, Robby  
Government Reform  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There are currently several statutory provisions relating to the administration of the Texas Building and Procurement Commission (Commission) that are either unnecessary or need clarification to help the Commission operate more efficiently.

The bill makes statutory revisions to help the Commission operate in a more cost-efficient manner.

### **RULEMAKING AUTHORITY**

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

### **ANALYSIS**

SECTION 1. Amends Section 2152.051 of the Government Code to provide that the Texas Building and Procurement Commission (Commission) consists, after January 31, 2007, of five members appointed by the Governor. Until that date, the Commission will consist of seven members, three of which are appointed by the Governor, two of which are appointed by the Governor, chosen from a list of nominees submitted by the Speaker, and two of which are appointed by the Lieutenant Governor.

SECTION 2. Amends Section 2152.052(b) of the Government Code to include that the Governor must attempt to appoint certain different minority groups.

SECTION 3. Amends Section 2152.057 of the Government Code to provide that the members will serve staggered six-year terms with one or two members' terms expiring January 31 of each odd-numbered year.

SECTION 4. Amends Section 2152.058(b) of the Government Code to allow the governing body of the Commission to meet at least quarterly, rather than monthly, in an effort to save time and money when there is not sufficient need for a commission meeting.

SECTION 5. Amends Chapter 2152 of the Government Code by adding section 2152.065, which will provide that the executive director or the executive director's designee may serve as the Commission's representative on various boards and committees where representation by the Commission is required, unless the presiding officer of the Commission elects to personally serve or appoints a specific person. This revision gives statutory authorization to current practice at the Commission to appoint the most appropriate individual to serve on various bodies instead of requiring the chairman or executive director to travel to multitudes of meetings and be solely responsible for the management decisions of the agency.

SECTION 6. Amends Section 2152.104(a) of the Government Code to allow the Commission to create the number of deputy director positions that is most appropriate and congruent with the management style of the agency, rather than mandating that the Commission employ three associate deputy directors.

SECTION 7. Amends Section 2172.001(a) of the Government Code to give the Commission the option of operating a central supply store rather than making it mandatory to allow flexibility in the event that it proves to be more cost-effective to contract with a private source for centralized supply purchasing.

SECTION 8. Amends Section 2172.002(a) of the Government Code to give the Commission the option

of maintaining a facility to repair office machines to allow flexibility in the event that it proves to be more cost-effective to outsource for office machine repair.

SECTION 9. Repeals Section 2172.001(b) of the Government Code.

SECTION 10. Effective Date.

**EFFECTIVE DATE**

On passage, or if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

**COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute adds SECTION 1, SECTION 2, and SECTION 3 to the original and renumbers the remaining sections accordingly. The substitute deletes Subsection 2152.104(d) from the original.

The substitute provides that the Texas Building and Procurement Commission (Commission) be governed, after January 31, 2007, by five members appointed by the Governor. Until that date, the Commission will consist of seven members, three of which are appointed by the Governor, two of which are appointed by the Governor, chosen from a list of nominees submitted by the Speaker, and two of which are appointed by the Lieutenant Governor.