

BILL ANALYSIS

S.B. 1000
By: West
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, there is a provision in the General Appropriations Act that requires a state agency to determine if Texas Legislative Council resources are available to perform a legislatively mandated statistical or demographic analysis of data before the agency uses appropriated funds to contract with a consultant or other private form of assistance to perform the analysis. However, this provision has not been codified in general law. The purpose of Senate Bill 1000 is to help ensure that state resources are used efficiently by requiring state agencies to determine if Texas Legislative Council resources are available to conduct a statistical or demographic analysis before entering into an outside contract for such services.

RULEMAKING AUTHORITY

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

ANALYSIS

Senate Bill 1000 adds Section 2113.108 to the Government Code to prohibit a state agency from using appropriated money to contract with a consultant or other non-governmental entity to perform or assist the agency in performing a statistical or demographic analysis required by state law unless the agency first contacts the Texas Legislative Council (Council) to determine whether the resources of the Council are available to perform or assist the agency in performing that analysis.

The bill requires the state agency, if the Council determines that Council resources are available to perform or assist the agency in performing all or part of the statistical or demographic analysis, to contract with the Council to perform or assist the agency in performing that analysis to the extent that the Council determines that Council resources are available to the agency.

The bill adds Section 323.020 to the Government Code to authorize the Council to determine whether and the extent to which Council resources are available to perform or assist a state agency in performing a statistical or demographic analysis of information as described by proposed Section 2113.108, Government Code.

The bill provides that information that the Council collects in relation to the statistical or demographic analysis that is confidential under state or federal law does not lose its confidential character because of its collection by the Council, without regard to whether the Council collected the information indirectly through the state agency or directly from another governmental or non-governmental entity. The bill provides that an entity that voluntarily provides information to the Council for purposes of the analysis does not waive any exception from required disclosure or any privilege not to disclose the information, and the confidential character of the information is not affected by that action of the entity.

EFFECTIVE DATE

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

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