

By: Cook of Colorado

H.B. No. 3042

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the administration of the Texas Building and  
3 Procurement Commission.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 2152.051, Government Code, is amended to  
6 read as follows:

7 Sec. 2152.051. COMPOSITION OF COMMISSION. (a) The  
8 commission consists of five members appointed by the governor.

9 (b) Subsection (a) governs the composition of the  
10 commission after January 31, 2007. On or before that date, this  
11 subsection governs the composition of the commission. The  
12 commission consists of seven members, of whom [+

13 [~~1~~] three members are appointed by the governor, [+

14 [~~2~~] two additional members are appointed by the  
15 governor from a list of nominees submitted by the speaker of the  
16 house of representatives, [+ and

17 [~~3~~] two members are appointed by the lieutenant  
18 governor. The members serving on the commission immediately before  
19 the effective date of the Act of the 78th Legislature, Regular  
20 Session, 2003, that amended this section and added this subsection  
21 are entitled to continue to serve on the commission for the terms  
22 for which they were appointed if they are otherwise qualified for  
23 their positions. Notwithstanding Section 2152.057, for the period  
24 in which the commission consists of seven members under this

1 subsection, two or three members' terms expire on January 31 of each  
2 odd-numbered year. If, on or before January 31, 2007, the term of  
3 any position on the commission expires or a vacancy is created in  
4 any position on the commission, the governor shall appoint a person  
5 to fill the position. However, the two positions on the commission  
6 that are filled by appointment by the governor from a list submitted  
7 by the speaker are abolished on the expiration of the positions'  
8 terms on January 31, 2007. This subsection expires September 1,  
9 2009.

10 ~~[(b) In making an appointment under Subsection (a)(2), the~~  
11 ~~governor may reject one or more of the nominees on a list submitted~~  
12 ~~by the speaker of the house of representatives and request a new~~  
13 ~~list of different nominees.]~~

14 SECTION 2. Section 2152.052(b), Government Code, is amended  
15 to read as follows:

16 (b) In making appointments under this section, the governor  
17 ~~[and lieutenant governor]~~ shall attempt to appoint women and  
18 members of different minority groups, including African Americans,  
19 Hispanic Americans, Native Americans, and Asian Americans.

20 SECTION 3. Section 2152.057, Government Code, is amended to  
21 read as follows:

22 Sec. 2152.057. TERMS. Commission members serve staggered  
23 six-year terms with one or two ~~[or three]~~ members' terms expiring  
24 January 31 of each odd-numbered year.

25 SECTION 4. Section 2152.058(b), Government Code, is amended  
26 to read as follows:

27 (b) The commission shall meet at least quarterly ~~[once each~~

1 ~~month~~]. The commission may meet at other times at the call of the  
2 presiding officer or as provided by the commission's rules.

3 SECTION 5. Subchapter B, Chapter 2152, Government Code, is  
4 amended by adding Section 2152.065 to read as follows:

5 Sec. 2152.065. REPRESENTATION ON BOARD OR COMMITTEE. If the  
6 commission must be represented on a board or committee, the  
7 executive director or the executive director's designee shall serve  
8 as the commission's representative on the board or committee unless  
9 the presiding officer of the commission elects to personally serve  
10 as the commission's representative or appoints a specific person to  
11 serve as the commission's representative on the board or committee.

12 SECTION 6. Section 2152.104(a), Government Code, is amended  
13 to read as follows:

14 (a) The commission shall have an appropriate number of  
15 ~~[three]~~ associate deputy directors.

16 SECTION 7. Section 2172.001(a), Government Code, is amended  
17 to read as follows:

18 ~~[(a)]~~ The commission may ~~[shall]~~ operate a central supply  
19 store at which only state agencies, the legislature, and  
20 legislative agencies may obtain small supply items. If the  
21 commission operates a central supply store, the commission shall  
22 devise an appropriate method of billing a using entity for the  
23 supplies.

24 SECTION 8. Section 2172.002(a), Government Code, is amended  
25 to read as follows:

26 (a) The commission may ~~[shall]~~ maintain a facility for  
27 repairing office machines and may ~~[shall]~~ offer repair services to

1 the following entities located in Austin:

- 2 (1) state agencies;
- 3 (2) the legislature; and
- 4 (3) legislative agencies.

5 SECTION 9. Section 2172.001(b), Government Code, is  
6 repealed.

7 SECTION 10. This Act takes effect immediately if it  
8 receives a vote of two-thirds of all the members elected to each  
9 house, as provided by Section 39, Article III, Texas Constitution.  
10 If this Act does not receive the vote necessary for immediate  
11 effect, this Act takes effect September 1, 2003.