

BILL ANALYSIS

H.B. 773
By: West, George "Buddy"
Energy Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Building and Procurement Commission (TBPC) is statutorily required to delegate purchase authority to agencies seeking to procure services for an amount over \$100,000. The Railroad Commission has sought such authority for well plugging and site remediation services over several years. TPBC's approved delegations have been tracked and to date, TPBC has approved 100% of the Commission requests. During the 78th legislative session, the Commission's delegated authority was increased to \$300,000. TPBC continues to approve 100% of the Commission's requests to procure well plugging and site remediation services. Seeking TBPC's delegated approval authority increases the procurement cycle by 10 days, the amount of time TPBC has to review the procurement package.

HB773 would remove the \$300,000 delegated authority limitation placed on the Commission well plugging and site remediation purchases. In addition, it corrects some of the provisions previously granted in HB 2444 (78th Legislative Session).

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: Subchapter , Chapter 2155, Government Code:

Adds Section 2155.149(a-c)

(a) Delegates all purchasing functions to the Railroad Commission for purchases relating to well plugging and site remediation under \$300,000.

(b) Requires the Railroad Commission to acquire goods and services by any procurement method that provides the best value to the Railroad Commission and to consider the best standards listed in Section 2155.074 of this code.

(c) Requires the Texas Procurement and Building Commission to procure goods and services for the Railroad Commission and authorizes the Railroad Commission to use the services of the TPBC in procuring goods and services.

SECTION 2: Section 81.057, Natural Resources Code:

Section 81.057 Exempts the TPBC from certain purchasing rules.

EFFECTIVE DATE

September 1, 2005