

BILL ANALYSIS

C.S.S.B. 581
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Defense Affairs & State-Federal Relations
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas State Veterans Homes Program (TSVH) and the Texas State Veterans Cemetery Program (TSVC), programs of the Texas Veterans' Land Board (VLB), have administered large construction projects over the past four years and will continue to administer large projects in order to develop and expand each program. The VLB coordinates with the United States Department of Veterans Affairs (VA) for the funding of these construction projects. Once construction is completed, the VLB operates these programs in accordance with Texas' and the VA's statutes and rules. Funding for both programs is provided through a partnership between the VLB and the VA.

The two programs require the purchase of unique goods and services in order to operate in accordance with the state and federal rules and regulations controlling the programs. While the VLB employs its own architect and construction project managers with unique expertise to ensure that construction is completed according to VA regulations, current law still requires a redundant approval of certain purchases by the Texas Building and Procurement Commission (TBPC). With the necessary expertise at the VLB available regarding these very specific and unique programs, CSSB 581 removes this redundant approval process at the TBPC by allowing the VLB to be delegated all purchasing functions relating to veterans homes and cemeteries.

CSSB 581 further changes the definition of "veteran" for these, and other VLB programs by removing the current requirement that a veteran serve 90 "continuous" days. This addresses instances wherein a person has interrupted military service, often because of the nature of reserve duty, and does not serve 90 days continuously.

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 of the bill delegates all purchasing functions relating to veterans homes and veterans cemeteries to the Veterans' Land Board. The VLB is further required to use procurement methods that provide best value to the Board, considering standards listed in Section 2155.074.

SECTION 2 of the bill removes VLB projects from the requirement for Texas Building and Procurement approval oversight over purchasing and construction decisions. It also makes a conforming name change from the Texas Natural Resources Conservation Commission to the Commission of Environmental Quality.

SECTION 3 changes the definition of a "veteran" by removing the requirement that service must be continuous to be considered a veteran.

EFFECTIVE DATE

This Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSSB 581 makes technical changes to clarify that the provisions in Subsections (b) and (c) apply to veteran home and cemetery purchases in Subsection (a).

CSSB 581 also makes a conforming name change in SECTION 2 by changing the Texas Natural Resource Conservation Commission to the Commission of Environmental Quality.