

By: Madden

H.B. No. 976

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to allowing the Texas Building and Procurement Commission  
3 to deliberate in a closed meeting regarding business and financial  
4 considerations of a contract being negotiated.

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

6 SECTION 1. Subchapter D, Chapter 551, Government Code, is  
7 amended by adding Section 551.0726 to read as follows:

8 Sec. 551.0726. TEXAS BUILDING AND PROCUREMENT COMMISSION:  
9 DELIBERATION REGARDING CONTRACT BEING NEGOTIATED; CLOSED MEETING.

10 (a) The Texas Building and Procurement Commission may conduct a  
11 closed meeting to deliberate business and financial issues relating  
12 to a contract being negotiated if, before conducting the closed  
13 meeting:

14 (1) the commission votes unanimously that  
15 deliberation in an open meeting would have a detrimental effect on  
16 the position of the state in negotiations with a third person; and

17 (2) the attorney advising the commission issues a  
18 written determination that deliberation in an open meeting would  
19 have a detrimental effect on the position of the state in  
20 negotiations with a third person.

21 (b) Notwithstanding Section 551.103(a), the commission must  
22 make a tape recording of the proceedings of a closed meeting held  
23 under this section.

24 SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2005.