

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 14, 2005

TO: Honorable Ray Allen, Chair, House Committee on County Affairs

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB1769 by Harper-Brown (Relating to the purchasing and contracting authority of commissaries operated by sheriffs.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to require a county sheriff, when reviewing bids to renew contracts of commissary suppliers, to consider whether the contract should provide for a fixed rate of return by which a supplier pays a set amount to the sheriff on a daily, monthly, or annual basis. The bill would also require a sheriff in certain populated counties to use competitive purchasing procedures when making a purchase using commissary proceeds. In addition, the bill would expand applicability of certain provisions to include another county that is not currently affected by those provisions. The bill would take effect September 1, 2005.

Current statute does not reference reviewing bids for a fixed rate of return. Also, current statute regarding purchasing procedures using commissary proceeds applies only to a county that has a population of one million or more and has two municipalities with a population of 300,000 or more, which applies only to Tarrant County. The bill would lower the population requirement for the two municipalities within the county to 200,000 or more, which would add Dallas County. Other existing statutory requirements regarding commissary operations that apply only to Tarrant County would also apply to Dallas County under the proposed change in statute (e.g., new bids to renew contracts would be subject to approval by the commissioners court). None of these administrative changes are expected to have a significant fiscal impact.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, DLBa