

BILL ANALYSIS

C.S.H.B. 2626
By: Murphy
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, in a school district with an average daily attendance of 190,000 that has a site-based decision making plan that delegates purchasing decisions to the campus level, the purchasing requirements of certain provisions of Sections 44.031 and 44.033 of the Education Code may apply to the campus and do not require the district to aggregate and jointly award purchasing contracts. A district that adopts site-based purchasing must adopt a policy to ensure that campus purchases achieve the best value to the district and are not intended or used to avoid the requirement that a district aggregate purchases.

Due to declining average daily attendance, a district may not be able to continue to avail itself of these provisions of law, which allow for more efficient procurement methods. To ensure that a district in such circumstances can continue to use these well-established and efficient procurement methods, the bill modifies current law by basing the applicability of such provisions on student enrollment, rather than on average daily attendance, and changing the threshold number for applicability from 190,000 to 180,000.

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

For the reasons described above in the BACKGROUND AND PURPOSE section, this bill amends Section 44.031(m) and Section 44.033(e), Education Code, by changing the criteria for applicability of such provisions from an average daily attendance of 190,000 to a student enrollment of 180,000.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill left the numerical threshold for applicability of the above-cited sections of the Education Code at 190,000, as it is in current law. The substitute bill lowers that threshold to 180,000.