

BILL ANALYSIS

Senate Research Center

H.B. 2733
By: Gattis (Ogden)
Finance
5/17/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2733 implements Recommendations 1 and 2, as contained in the Legislative Budget Board's January, 2007, staff report, entitled "Texas State Government Effectiveness and Efficiency: Selected Issues and Recommendation," under the heading Reduce Risks Associated with State Contract Management.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the attorney general in SECTION 3 (Section 2262.154, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2262.002(b), Government Code, to reference exceptions to this chapter contained elsewhere in the chapter.

SECTION 2. Amends Section 2262.101, Government Code, to delete existing text including reviewing the solicitation of major contracts by state agencies as a responsibility of the Contract Advisory Team. Makes a conforming change.

SECTION 3. Amends Chapter 2262, Government Code, by adding Subchapter D, as follows:

SUBCHAPTER D. STATE OFFICE OF CONTRACT MANAGEMENT

Sec. 2262.151. DEFINITIONS. Defines "high-risk contract," "major information resources project," "office," "quality assurance team," and "solicitation."

Sec. 2262.152. TEXAS DEPARTMENT OF TRANSPORTATION. Provides that, notwithstanding any other law, this subchapter applies to contracts of the Texas Department of Transportation (TDP) that meet certain criteria.

Sec. 2262.153. ESTABLISHMENT; GENERAL DUTIES. Requires the attorney general to establish a state office of contract management to perform certain functions.

Sec. 2262.154. REVIEW AND APPROVAL; WAIVER. (a) Requires each state agency to receive approval from the office before taking certain actions in relation to a high-risk contract.

(b) Requires the office, in determining whether to approve an action described by Subsection (a), to review related documentation to ensure that potential risks related to the high-risk contract have been identified and mitigated.

(c) Authorizes the attorney general by rule to adopt criteria for waiving the review and approval requirements under Subsections (a) and (b).

Sec. 2262.155. SOLICITATION AND CONTRACT CANCELLATION. Authorizes the office, after review of and comment on the matter by the Legislative Budget Board and the governor, to recommend the cancellation of a solicitation or a contract during the review process under Section 2262.154 if certain conditions are satisfied.

SECTION 4. Repealer: Section 2262.051(f) (relating to a contract management guide), Government Code.

SECTION 5. Provides that Subchapter D, Chapter 2262, Government Code, as added by this Act, applies only in relation to certain contracts.

SECTION 6. Effective date: upon passage or September 1, 2007.