

BILL ANALYSIS

S.B. 297
By: West, Royce
Government Reform
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Texas Building and Procurement Commission is required to appoint a committee to review the uniform general conditions of state building construction contracts (committee). The committee is currently comprised of twelve members nominated by a variety of state agencies and associations as representatives from various parts of the construction trade. While a representative from a historically underutilized business is currently appointed to the committee, minority and small contractor representation on the committee is significantly lacking. Minority and small contractor representation is important to ensure that the specifications do not contain requirements that would present barriers to such contractors. The Hispanic Contractors Association de Tejas and the Black Contractors Association have historically provided input on state issues that affect not only their respective membership, but the small contracting community as a whole.

This bill includes two individuals appointed by the Texas Building and Procurement Commission (commission), each representing a different minority contractors association, to the composition of the committee and removes the appointment to the committee by the commission from the list submitted by the executive director of the National Association of Minority Contractors.

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

This bill amends the Government Code to restructure the composition of the committee appointed by the Texas Building and Procurement Commission (commission) to review the uniform general conditions of state building construction contracts (committee). The bill removes the required appointment of the executive director of the National Association of Minority Contractors and adds a requirement to appoint two individuals, each representing a different minority contractors association, to the composition of the committee. Lastly, the bill makes conforming changes to existing code.

EFFECTIVE DATE

September 1, 2007.