

BILL ANALYSIS

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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Building and Procurement Commission (TBPC) currently has a variety of duties that could be categorized as either buildings or procurement, as its name suggests. The duties related to buildings involve the construction of state buildings and the control of, the maintenance and repair of, or the purchase of state buildings, grounds, and property. The duties related to procurement include statewide purchasing, oversight of the state's historically underutilized business program, travel, vehicle fleet, and a variety of other tasks.

However, the General Land Office currently has duties related to the state's real property, and the comptroller of public accounts (comptroller) has duties related to state procurements. The efficiency of central governmental operations and the quality could be improved of services and goods provided to all state agencies if TBPC was abolished and its building and procurement duties transferred to the General Land Office and the comptroller, respectively.

As proposed, S.B. 1507 abolishes TBPC and transfers its duties to the General Land Office and the comptroller, as appropriate.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Building and Procurement Commission is modified and transferred to the comptroller of public accounts in SECTIONS 2.06, 2.08, and 2.19 (Sections 2155.325, 2155.503, and 2171.056, Government Code) of this bill.

Rulemaking authority previously granted to the General Services Commission is modified and transferred to the comptroller of public accounts in SECTIONS 2.54, 2.59 (Sections 2113.103 and 2205.012, Government Code), 2.70 (Section 34.001, Education Code), 2.80 (Section 361.427, Health and Safety Code), and 2.82 (Section 32.044, Human Resources Code) of this bill.

Rulemaking authority previously granted to the State Purchasing and General Services Commission is modified and transferred to the comptroller of public accounts in SECTION 2.90 (Section 271.082, Local Government Code) of this bill.

Rulemaking authority previously granted to the Texas Building and Procurement Commission and General Services Commission is modified and transferred to the land commissioner in SECTIONS 3.02, 3.03, and 3.07 (Sections 2166.0011, 2167.0011, and 417.0082, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

ARTICLE 1. ABOLITION OF THE TEXAS BUILDING AND PROCUREMENT COMMISSION

SECTION 1.01. Amends Sections 2151.002, 2151.003, and 2151.004, Government Code, as follows:

Sec. 2151.002. New heading: DEFINITION. Redefines "state agency" and deletes the definition of "commission."

Sec. 2151.003. REFERENCE. Provides that a statutory reference to the General Services Commission (GSC), the State Board of Control (SBC), the State Purchasing and General Services Commission (SPGSC), or the Texas Building and Procurement Commission (TBPC) means the General Land Office (GLO) if the statutory reference concerns certain duties relating to state buildings, grounds, or property, or to the comptroller of public accounts (comptroller) in all other circumstances, except as otherwise provided by law.

Sec. 2151.004. New heading: TRANSFER OF POWERS AND DUTIES. (a) and (b) Makes conforming and nonsubstantive changes.

(c) Provides that the powers and duties of TBPC that relate to charge and control of state buildings, grounds, or property, maintenance or repair of state buildings, grounds, or property, construction of a state building, or purchase or lease of state buildings, grounds, or property by or for the state are transferred to GLO.

(d) Provides that, except as provided by Subsection (a) or (c) or other law, all other powers and duties of TBPC are transferred to the comptroller.

SECTION 1.02. Repealer: Chapter 2152 (Texas Building and Procurement Commission), Government Code.

SECTION 1.03. (a) Abolishes TBPC.

(b) Provides that the validity of an action taken by TBPC before it is abolished is not affected by the abolition.

SECTION 1.04. (a) and (a-1) Make conforming changes.

(b) Provides that all employees of TBPC who primarily perform certain duties become employees of GLO. Provides that certain employees of TBPC who hold management positions become employees of GLO but do not automatically continue to hold the person's management position. Requires a person to apply for a management position with GLO in order for a person to hold that position on other than an interim basis.

(b-1) Provides that all other employees of TBPC are transferred to the comptroller. Provides that a management employee with TBPC who is transferred to the comptroller does not automatically continue to hold the person's management position. Requires a person to apply for a management position with the comptroller in order for a person to hold that position on other than an interim basis.

(c) Provides that a rule, form, policy, procedure, or decision of TBPC that is related to certain activities continues in effect as a rule, form, policy, procedure, or decision of GLO until superseded by an act of the land commissioner or the land commissioner's designee.

(c-1) Provides that a rule, form, policy, procedure, or decision of TBPC that is related to an activity transferred by this Act to the comptroller continues in effect as a rule, form, policy, procedure, or decision of the comptroller until superseded by an act of the comptroller.

(d) Provides that a court case, administrative proceeding, contract negotiation, or other proceeding involving TBPC that is related to certain activities is transferred without change in status to GLO, and GLO assumes, without a change in status, the position of TBPC in a negotiation or proceeding relating certain activities to which TBPC is a party.

(d-1) Provides that a court case, administrative proceeding, contract negotiation, or other proceeding involving TBPC that is related to an activity transferred by this Act to the comptroller is transferred without change in status to the comptroller, and the comptroller assumes, without a change in status, the position of TBPC in a negotiation or proceeding relating to an activity transferred by this Act to the comptroller to which TBPC is a party.

(e) Provides that all money, contracts, leases, rights, bonds, and obligations of TBPC related to certain activities are transferred to GLO.

(e-1) Provides that all money, contracts, leases, rights, bonds, and obligations of TBPC related to certain activities are transferred to the comptroller.

(f) Transfers all personal property, including records, in the custody of TBPC related to certain activities to GLO.

(f-1) Transfers to the comptroller all personal property, including records, in the custody of TBPC related to an activity transferred by this Act to the comptroller.

(g) Transfers all funds appropriated by the legislature to TBPC for certain activities, including funds for providing administrative support for those services, to GLO.

(g-1) Transfers to the comptroller all funds appropriated by the legislature to TBPC for an activity transferred by this Act to the comptroller, including funds for providing administrative support for those services.

(h) Provides that all property, employees, appropriations, and other items of TBPC that are not otherwise transferred by this section are transferred to the comptroller subject to Section 1.05 of this article.

SECTION 1.05. (a) Requires the comptroller and the land commissioner, in accordance with Section 1.04 of this article, to adopt a memorandum of understanding that identifies and allocates the powers, duties, property, employees, appropriations, and other items transferred under Section 1.04 between the comptroller and the GLO. Requires the memorandum of understanding to also identify and allocate any employees and certain real or personal property of TBPC, used to generally support TBPC's activities, between the comptroller and GLO, and to provide a timetable for any necessary or advisable movement of the physical location of employees and property.

(b) Requires the comptroller to transfer the property, employees, appropriations, or other items that is to be transferred under Section 1.04 of this article and that is related primarily to an activity of TBPC, to the agency that has been determined by the comptroller to be performing said activity.

ARTICLE 2. TRANSFER OF DUTIES TO THE COMPTROLLER

SECTION 2.01. Amends Subchapter A, Chapter 2155, Government Code, by adding Section 2155.0011, as follows:

2155.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter (Purchasing: General Rules and Procedures) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.02. Amends Section 2155.144(k), Government Code, to make conforming changes.

SECTION 2.03. Amends Section 2155.322(b), Government Code, to make a conforming change.

SECTION 2.04. Amends Section 2155.323(b), Government Code, as follows:

(b) Requires the comptroller, if the comptroller approves the financial information, to determine whether the purchase information should also be audited under Section 2155.324 (Commission Audit). Deletes existing text requiring the comptroller to promptly send a certification and purchase information to TBPC using a method and format agreed to by the comptroller and TBPC.

SECTION 2.05. Amends Section 2155.324, Government Code, as follows:

Sec. 2155.324. New heading: PURCHASE AUDIT. (a) Requires the comptroller to audit the purchase information for compliance with applicable purchasing statutes and rules when the comptroller considers a purchase audit to be advisable, rather than not later than the eighth day after a certain date.

(b) Makes a conforming change.

(c) Deletes this subsection requiring TBPC to notify the comptroller of certain information.

SECTION 2.06. Amends Section 2155.325, Government Code, as follows:

Sec. 2155.325. New heading: PURCHASE AUDIT AFTER ISSUANCE OF WARRANT. (a) and (b) Makes conforming changes.

(c) Deletes existing text requiring the comptroller to send certification and purchase information received by the comptroller to TBPC, under TBPC's rules.

SECTION 2.07. Amends Section 2155.382(a), Government Code, to make conforming changes.

SECTION 2.08. Amends Section 2155.503, Government Code, to require the comptroller, rather than TBPC, to adopt rules to implement this subchapter (Multiple Award Contract Schedule) and make conforming changes.

SECTION 2.09. Amends Subchapter A, Chapter 2156, Government Code, by adding Section 2156.0011, as follows:

Sec. 2156.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter (Purchasing Methods) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.10. Amends Subchapter A, Chapter 2157, Government Code, by adding Section 2157.0011, as follows:

Sec. 2157.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter (Purchasing: Purchase of Automated Information Systems) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.11. Amends Subchapter A, Chapter 2158, Government Code, by adding Section 2158.0011, as follows:

Sec. 2158.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter (Purchasing: Miscellaneous Provisions for the Purchase of Certain Goods and Services) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.12. Amends Subchapter A, Chapter 2161, Government Code, by adding Section 2161.0011, as follows:

Sec. 2161.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter (Historically Underutilized Businesses) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.13. Amends Section 2161.125, Government Code, to make conforming changes.

SECTION 2.14. Amends Section 2162.051(a), Government Code, to make a conforming change.

SECTION 2.15. Amends Section 2162.102(c), Government Code, to make a conforming change.

SECTION 2.16. Amends Chapter 2163, Government Code, by adding Section 2163.0011, as follows:

Sec. 2163.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter (Commercially Available Activities) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.17. Amends Subchapter A, Chapter 2170, Government Code, by adding Section 2170.0011, as follows:

Sec. 2170.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter (Telecommunications Services) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.18. Amends Subchapter A, Chapter 2171, Government Code, by adding Section 2171.0011, as follows:

Sec. 2171.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter (Travel and Vehicle Fleet Services) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.19. Amends Section 2171.056(e), Government Code, to make conforming changes.

SECTION 2.20. Amends Chapter 2172, Government Code, by adding Section 2172.0011, as follows:

Sec. 2172.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter (Miscellaneous General Services Provided by the Commission) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.21. Amends Subchapter A, Chapter 2175, Government Code, by adding Section 2175.0011, as follows:

Sec. 2175.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter (Surplus and Salvage Property) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.22. Amends Section 2175.122, Government Code, as follows:

Sec. 2175.122. New heading: STATE AGENCY NOTICE TO COMPTROLLER. Makes a conforming change.

SECTION 2.23. Amends Section 2175.123(b), Government Code, to make a conforming change.

SECTION 2.24. Amends Section 2175.1825, Government Code, to require the comptroller to advertise the property's kind, number, location, and condition on the comptroller's website and deletes existing text requiring said action within a certain timeframe after notice from TBPC.

SECTION 2.25. Amends Section 2175.190(a), Government Code, to make conforming changes.

SECTION 2.26. Amends Subchapter A, Chapter 2176, Government Code, by adding Section 2176.0011, as follows:

Sec. 2176.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter (Mail) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.27. Amends Section 2176.053, Government Code, to make a conforming change.

SECTION 2.28. Amends Subchapter A, Chapter 2177, Government Code, by adding Section 2177.0011, as follows:

Sec. 2177.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter (Electronic Commerce) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.29. Amends Section 22.008(d), Government Code, to make conforming changes.

SECTION 2.30. Amends Section 325.017(e), Government Code, to make a conforming change.

SECTION 2.31. Amends Section 403.251, Government Code, as follows:

Sec. 403.251. New heading: ADDITIONAL DUTIES OF COMPTROLLER. Makes conforming changes.

SECTION 2.32. Amends Section 441.106, Government Code, to make a conforming change.

SECTION 2.33. Amends Sections 441.194(a) and (b), Government Code, to make conforming changes.

SECTION 2.34. Amends Section 444.021(a), Government Code, to make a conforming change.

SECTION 2.35. Amends Section 465.0082, Government Code, to make a conforming change.

SECTION 2.36. Amends Section 465.018(b), Government Code, to make a conforming change.

SECTION 2.37. Amends Section 466.104, Government Code, as follows:

Sec. 466.104. New heading: ASSISTANCE OF COMPTROLLER. Makes a conforming change.

SECTION 2.38. Amends Section 481.027(f), Government Code, to make conforming changes.

SECTION 2.39. Amends Section 496.0515(b), Government Code, to make a conforming change.

SECTION 2.40. Amends Section 497.0224(b), Government Code, to make a conforming change.

SECTION 2.41. Amends Sections 497.025(a) and (c), Government Code, to make conforming changes.

SECTION 2.42. Amends Section 497.026, Government Code, to make a conforming change.

SECTION 2.43. Amends Section 497.027, Government Code, to make conforming changes.

SECTION 2.44. Amends Section 497.029, Government Code, to make a conforming change.

SECTION 2.45. Amends Section 497.030, Government Code, as follows:

Sec. 497.030. New heading: COMPTROLLER REPORTS. Makes conforming changes.

SECTION 2.46. Amends Section 531.0312(b), Government Code, to make conforming changes.

SECTION 2.47. Amends Subchapter A, Chapter 663, Government Code, by adding Section 663.0011, as follows:

Sec. 663.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter (Child Care Services for State Employees) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.48. Amends Sections 791.025(a) and (b), Government Code, to make conforming changes.

SECTION 2.49. Amends Section 825.103(d), Government Code, to make conforming changes.

SECTION 2.50. Amends Section 2051.052, Government Code, to make conforming changes.

SECTION 2.51. Amends Section 2054.057(a), Government Code, to make a conforming change.

SECTION 2.52. Amends Section 2101.038, Government Code, to make a conforming change.

SECTION 2.53. Amends Section 2103.032(a), Government Code, to delete existing text authorizing the comptroller to establish an electronic system for the approval of vouchers by GSC.

SECTION 2.54. Amends Sections 2113.103(a), (c), and (d), to make conforming changes.

SECTION 2.55. Amends Section 2113.301(h), Government Code, to make a conforming change.

SECTION 2.56. Amends Section 2203.005(b), Government Code, to make a conforming change.

SECTION 2.57. Amends Sections 2205.004(a) and (c), Government Code, to make conforming changes.

SECTION 2.58. Amends Section 2205.012(a), Government Code, to make a conforming change.

SECTION 2.59. Amends Section 2251.003, Government Code, to make conforming changes.

SECTION 2.60. Amends Section 2252.003(a), Government Code, to make a conforming change.

SECTION 2.61. Amends Section 2254.040, Government Code, as follows:

Sec. 2254.040. New heading: PROCUREMENT BY COMPTROLLER. Makes a conforming change.

SECTION 2.62. Amends Sections 2261.001(a) and (c), Government Code, to make conforming changes.

SECTION 2.63. Amends Subchapter A, Chapter 2262, Government Code, by adding Section 2262.0011, as follows:

Sec. 2262.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers all powers and duties of TBPC under this chapter (Statewide Contract Management) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.64. Amends Section 2302.002, Government Code, to make a conforming change.

SECTION 2.65. Amends Section 12.014(b), Agriculture Code, to make a conforming change.

SECTION 2.66. Amends Section 12.029(c), Agriculture Code, to require the Department of Agriculture to file the policies established under this section (Powers and Duties) with the comptroller, rather than SPGSC and with the Texas Department of Commerce or its successor in function and to make a conforming change.

SECTION 2.67. Amends Section 13.112, Agriculture Code, to make a conforming change.

SECTION 2.68. Amends Section 49.004(d), Agriculture Code, to provide that supplies, materials, services, and equipment purchased with funds obtained under this section (Use of Funds in Agricultural Technology Account) are not subject to the purchasing authority of the comptroller, rather than GSC.

SECTION 2.69. Amends Section 201.105(c), Agriculture Code, to make a conforming change.

SECTION 2.70. Amends Section 34.001, Education Code, to make a conforming change.

SECTION 2.71. Amends Section 34.006, Education Code, to make conforming changes.

SECTION 2.72. Amends Section 106.54, Education Code, to make a conforming change.

SECTION 2.73. Amends Section 107.66, Education Code, to make conforming changes.

SECTION 2.74. Amends Section 141.003(c), Education Code, to make a conforming change.

SECTION 2.75. Amends Section 142.004(e), Education Code, to make a conforming change,

SECTION 2.76. Amends Section 143.005(f), Education Code, to make a conforming change.

SECTION 2.77. Amends Section 152.004(e), Education Code, to make a conforming change.

SECTION 2.78. Amends Section 361.423, Health and Safety Code, to make conforming changes.

SECTION 2.79. Amends Section 361.425(a), Health and Safety Code, to make a conforming change.

SECTION 2.80. Amends Section 361.427(a), Health and Safety Code, to make a conforming change.

SECTION 2.81. Amends Section 841.083(c-2), Health and Safety Code, to make a conforming change.

SECTION 2.82. Amends Section 32.044, Human Resources Code, to make a conforming change.

SECTION 2.83. Amends Section 111.0553(a), Human Resources Code, to make a conforming change.

SECTION 2.84. Amends Chapter 122, Human Resources Code, by adding Section 122.0011, as follows:

Sec. 122.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers all the powers and duties of TBPC under this chapter (Texas Council on Purchasing from People with Disabilities) to the comptroller.

(b) Provides that a reference in this chapter to TBPC means the comptroller.

SECTION 2.85. Amends Article 21A.0135(a), Insurance Code, to make a conforming change.

SECTION 2.86. Amends Sections 201.007(b), (c), (f), and (g), Local Government Code, to make conforming changes.

SECTION 2.87. Amends Section 252.0215, Local Government Code, to make a conforming change.

SECTION 2.88. Amends the heading to Section 262.002, Local Government Code, to read as follows:

Sec. 262.002. AUTHORITY TO PURCHASE ROAD EQUIPMENT AND TIRES THROUGH COMPTROLLER.

SECTION 2.89. Amends Section 262.002(a), Local Government Code, to make a conforming change.

SECTION 2.90. Amends Section 271.082, Local Government Code, to make conforming changes.

SECTION 2.91. Amends Section 113.283(a), Natural Resources Code, to make a conforming change.

SECTION 2.92. Amends Section 161.020, Natural Resources Code, to make a conforming change.

SECTION 2.93. Amends Section 12.008(c), Parks and Wildlife Code, to make a conforming change.

SECTION 2.94. Amends Section 81.404(b), Parks and Wildlife Code, to make conforming changes.

SECTION 2.95. Amends Section 111.0035(f), Tax Code, to require the comptroller to award a contract made under this section (Advanced Database Systems for Tax Collections) through a competitive bidding process that complies with Section 2155.132 (Purchases Less than Specified Monetary Amount) and deletes existing text requiring said award to comply with rules adopted by GSC relating to delegated purchases.

SECTION 2.96. Amends Section 111.0036(f), Tax Code, to make a conforming change.

SECTION 2.97. Amends Section 201.706, Transportation Code, to make a conforming change.

SECTION 2.98. Amends Section 202.082(b), Transportation Code, to make a conforming change.

SECTION 2.99. Amends Section 223.041(b), Transportation Code, to make a conforming change.

SECTION 2.100. Amends Section 502.052(c), Transportation Code, to make a conforming change.

SECTION 2.101. Amends Section 502.053(b), Transportation Code, to make a conforming change.

SECTION 2.102. Amends Section 14.058, Utilities Code, to make a conforming change.

SECTION 2.103. Amends Section 222.004(v), Water Code, to make a conforming change.

SECTION 2.104. Repealer: Section 403.241(1) (definition of "commission"), Government Code.

Repealer: Section 551.0726 (Texas Building and Procurement Commission: Deliberation Regarding Contract Being Negotiated; Closed Meeting), Government Code.

Repealer: Section 663.002 (Duties and Responsibilities Not Affected), Government Code.

Repealer: Section 2103.063 (General Services Commission), Government Code.

Repealer: Section 2155.326 (Update of Commission Files and Records), Government Code.

Repealer: Section 2161.002(b) (requiring the comptroller to provide certain information to TBPC), Government Code.

Repealer: Section 2175.182(c) (requiring TBPC to inform the comptroller of certain information), Government Code.

ARTICLE 3. TRANSFER OF DUTIES TO THE GENERAL LAND OFFICE

SECTION 3.01. Amends Subchapter A, Chapter 2165, Government Code, by adding Section 2165.0011, as follows:

Sec. 2165.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter to GLO.

(b) Provides that a reference in this chapter (State Buildings, Grounds, and Property) to TBPC means GLO. Provides that a reference authorizing or requiring TBPC to adopt rules or a reference to the governing body or presiding officer of the governing body of TBPC is a reference to the land commissioner.

SECTION 3.02. Amends Subchapter A, Chapter 2166, Government Code, by adding Section 2166.0011, as follows:

Sec. 2166.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter to GLO.

(b) Provides that a reference in this chapter (Building Construction and Acquisition) to TBPC means GLO. Provides that a reference authorizing or requiring TBPC to adopt rules or a reference to the governing body or presiding officer of the governing body of TBPC is a reference to the land commissioner.

SECTION 3.03. Amends Subchapter A, Chapter 2167, Government Code, by adding Section 2167.0011, as follows:

Sec. 2167.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter to GLO.

(b) Provides that a reference in this chapter (Lease of Space for State Agencies) to TBPC means GLO. Provides that a reference authorizing or requiring TBPC to adopt rules or a reference to the governing body or presiding officer of the governing body of TBPC is a reference to the land commissioner.

SECTION 3.04. Amends Section 411.064, Government Code, as follows:

Sec. 411.064. New heading: ASSISTANCE OF TEXAS DEPARTMENT OF TRANSPORTATION OR GENERAL LAND OFFICE. (a) Requires the Texas Department of Transportation and GLO, rather than GSC, at the request of the Texas Department of Public Safety, to take certain actions.

(b) Makes a conforming change.

SECTION 3.05. Amends Section 411.0645(a), Government Code, to make a conforming change.

SECTION 3.06. Amends Section 417.0081, Government Code, to make a conforming change.

SECTION 3.07. Amends Section 471.0082, Government Code, to make conforming changes.

SECTION 3.08. Amends Section 442.005(d), Government Code, to make a conforming change.

SECTION 3.09. Amends Section 442.0071(e), Government Code, to make a conforming change.

SECTION 3.10. Amends Section 469.106(b) and (d), Government Code, to make conforming changes.

SECTION 3.11. Amends Section 663.104, Government Code, to make a conforming change.

SECTION 3.12. Amends Section 663.111(b), Government Code, to make a conforming change.

SECTION 3.13. Amends Subchapter A, Chapter 1232, Government Code, by adding Section 1232.0011, as follows:

Sec. 2165.0011. TRANSFER OF DUTIES; REFERENCE. (a) Transfers the powers and duties of TBPC under this chapter to GLO.

(b) Provides that a reference in this chapter (State Buildings, Grounds, and Property) to TBPC means GLO. Provides that a reference authorizing or requiring TBPC to adopt rules or a reference to the governing body or presiding officer of the governing body of TBPC is a reference to the land commissioner.

SECTION 3.14. Amends Section 21.003(f), Human Resources Code, to make a conforming change.

SECTION 3.15. Amends Section 61.016, Human Resources Code, to make a conforming change.

SECTION 3.16. Amends Section 94.002(b), Human Resources Code, to make a conforming change.

SECTION 3.17. Repealer: Section 2166.056(d) (requiring TBPC to approve all joint agreements, franchises, and licenses), Government Code.

ARTICLE 4. DEPARTMENT OF INFORMATION RESOURCES

SECTION 4.01. Amends Section 35.102(c), Business & Commerce Code, to provide that this section (Software or Services that Restrict Access to Certain Material on Internet) does not apply to the Department of Information Resources (DIR), rather than GSC, in its capacity as the telecommunications provider for certain entities that provides interactive computer service.

SECTION 4.02. Amends Section 44.031(i), Education Code, to authorize a school district to acquire computers and computer-related equipment through DIR, rather than GSC, under contracts entered into in accordance with Chapter 2054 or 2157, Government Code. Makes a conforming change.

SECTION 4.03. Amends Section 2054.123(a), Government Code, to make a conforming change.

SECTION 4.04. Amends Section 2054.201, Government Code, to make conforming changes.

SECTION 4.05. Amends Sections 2054.304(b) and (c), Government Code, to make a nonsubstantive change and conforming changes.

SECTION 4.06. Amends Section 771.031(b), Health and Safety Code, to make a conforming change.

SECTION 4.07. Amends Section 771.0711(e), Health and Safety Code, to make a conforming change.

SECTION 4.08. Amend Section 55.203(f), Utilities Code, to make a conforming change.

ARTICLE 5. CONFORMING AMENDMENTS; MISCELLANEOUS

SECTION 5.01. Amends Section 201.002(b), Transportation Code, to make a conforming change.

SECTION 5.02. Amends Section 403.023(b), Government Code, to delete existing text authorizing GSC to contract with one or more credit or charge card issuers on behalf of state agencies.

SECTION 5.03. Amends Section 441.203(a), Government Code, to remove the executive director of TBPC from the membership of the Records Management Interagency Coordinating Council.

SECTION 5.04. Reenacts Section 552.009(a), Government Code, as amended by Chapters 329 and 716, Acts of the 79th Legislature, Regular Session, 2005.

SECTION 5.05. Amends Section 572.003(c), Government Code, to make conforming changes.

SECTION 5.06. Amends Section 659.301(5), Government Code, to redefine "state employee."

SECTION 5.07. Amends Section 2101.0115(c), Government Code, to make a conforming change.

SECTION 5.08. Amends Section 2155.203, Government Code, as follows:

Sec. 2155.203. PURCHASES BY LEGISLATURE AND LEGISLATIVE AGENCIES. Authorizes certain entities to use TBPC's or another state agency's purchasing services for purchasing goods and services. Provides that use of the purchasing services of TBPC or other state agency does not subject a legislative branch agency to a rule or statute or to a provision of a term contract, multiple award contract, or other contract that would otherwise require the entity to take certain actions.

SECTION 5.09. Amends Section 2203.001(b), Government Code, to make a conforming change.

SECTION 5.10. Amends Section 2254.024(b), Government Code, to make a conforming change.

SECTION 5.11. Amends Section 2254.039(b), Government Code, to require the comptroller to give proposed rules to the governor, rather than to the governor and GSC, for review and comment before adopting the rules.

SECTION 5.12. Amends Section 195.008(b), Local Government Code, to make a conforming change.

SECTION 5.13. Amends Section 31.157(b) and (c), Natural Resources Code, to delete existing text relating to certain duties of TBPC.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. Effective date: September 1, 2007.