

1-1 By: Hilderbran (Senate Sponsor - Birdwell) H.B. No. 265
1-2 (In the Senate - Received from the House April 20, 2011;
1-3 April 26, 2011, read first time and referred to Committee on
1-4 Government Organization; May 13, 2011, reported favorably by the
1-5 following vote: Yeas 6, Nays 0; May 13, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the lease of space by or for a state agency.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 2167.002, Government Code, is amended to
1-11 read as follows:

1-12 Sec. 2167.002. PREREQUISITES FOR LEASING SPACE. (a) The
1-13 commission may lease space for a state agency in accordance with
1-14 this chapter and the agency's specifications if:

1-15 (1) state-owned space is not otherwise available to
1-16 the agency; and

1-17 (2) the agency has verified it has money available to
1-18 pay for the lease.

1-19 (b) In making a determination under this section that
1-20 state-owned space is not available to a state agency, the
1-21 commission must consider all reasonably available state-owned
1-22 space in this state, regardless of whether utilizing state-owned
1-23 space would require the agency to move all or part of the agency's
1-24 operations to a different geographic location in this state.

1-25 SECTION 2. Section 2167.005(a), Government Code, is amended
1-26 to read as follows:

1-27 (a) The commission may delegate to a state agency, including
1-28 an institution of higher education, the authority to enter into
1-29 lease contracts for space if the commission determines that
1-30 state-owned space is not available as provided by Section 2167.002.

1-31 SECTION 3. This Act takes effect September 1, 2011.

1-32 * * * * *