

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 29, 2011

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: SB1109 by Williams (Relating to state agency procurement and the comptroller's procurement powers and duties.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code sections relating to the Comptroller of Public Accounts (CPA)'s authority to engage in the statewide procurement of goods and services. The bill would give the Comptroller authority to pursue statewide contracts and delegate purchasing authority. The bill would also make conforming changes to Government Code and Education Code and expand the Quality Assurance Team to include a representative from the CPA. The bill would take effect September 1, 2011, unless receiving at least two-thirds votes in each house, in which case the bill would take immediate effect.

The bill repeals sections of Government Code related to: (1) award of certain contracts in public meetings; (2) the Procurement Advisory Council; (3) exemption from competitive bidding requirements for the purchase of goods or services from blind or visually impaired persons; (4) purchases for an auxiliary enterprise; and (5) public notice of bid solicitations in general circulation newspapers.

The bill includes several provisions that could result in additional costs for state agencies, including: authorizing the CPA to require a state agency to conduct a hearing, study, review, or cost estimate; requiring a state agency to provide the CPA with a biennial procurement plan identifying expected major purchases the agency expects to make in the next biennium; and authorizing the CPA to require a state agency to engage a consultant to assist with a solicitation. This analysis assumes that any costs associated with implementing these provisions could be met within existing resources.

The CPA reports that no additional administrative costs are created by implementation of the bill's provisions.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, KJG, JI, KY