| **House Bill 3395**  Senate Amendments  Section-by-Section Analysis | | |
| --- | --- | --- |
| HOUSE VERSION | SENATE VERSION (CS) | CONFERENCE |
| SECTION 1. Section 2155.445(a), Government Code, is amended to read as follows:  (a) The commission and state agencies may [~~shall~~] give preference to recycled, remanufactured, or environmentally sensitive products, as those terms are defined by rule of the commission, in purchases made under this subtitle if:  (1) the product meets state specifications regarding quantity and quality; and  (2) the average price of the product is not more than 10 percent greater than the price of comparable nonrecycled products. | SECTION 1. Section 2155.445(a), Government Code, is amended to read as follows:  (a) The commission and state agencies shall give preference to recycled, remanufactured, or environmentally sensitive products, as those terms are defined by rule of the commission, in purchases made under this subtitle if:  (1) the product meets state specifications regarding quantity and quality; and  (2) the average price of the product is not more than 10 percent greater than the price of comparable nonrecycled products. |  |
| SECTION 2. Section 2155.446, Government Code, is amended to read as follows:  Sec. 2155.446. PURCHASE AND USE OF PAPER CONTAINING RECYCLED FIBERS. (a) The commission may [~~shall~~] contract for paper containing the highest proportion of recycled fibers for all purposes for which paper with recycled fibers may be used and to the extent that the paper is available at a reasonable price through normal commercial sources to supply the state's needs.  (b) A state agency that purchases through the commission may [~~shall~~] place orders for papers containing recycled fibers to the highest extent of its needs and to the extent that the paper is available through the commission's purchasing procedures. | SECTION 2. Section 2155.446, Government Code, is amended to read as follows:  Sec. 2155.446. PURCHASE AND USE OF PAPER CONTAINING RECYCLED FIBERS. (a) Subject to Subsection (c), the [~~The~~] commission shall contract for paper containing the highest proportion of recycled fibers for all purposes for which paper with recycled fibers may be used and to the extent that the paper is available [~~at a reasonable price~~] through normal commercial sources to supply the state's needs.  (b) Subject to Subsection (c), a [~~A~~] state agency that purchases through the commission shall place orders for papers containing recycled fibers to the highest extent of its needs and to the extent that the paper is available through the commission's purchasing procedures.  (c) This section does not apply if the average price of paper with recycled fibers exceeds by more than 10 percent the price of comparable nonrecycled paper. |  |
| SECTION 3. Section 2155.447, Government Code, is amended to read as follows:  Sec. 2155.447. PURCHASE OF RECYCLED OIL. The commission, all state agencies, and all state agency employees who purchase motor oil and other automotive lubricants for state-owned vehicles may [~~shall~~] give preference to motor oils and lubricants that contain at least 25 percent recycled oil if the cost to the state and the quality are comparable to those of new oil and lubricants. | No equivalent provision. |  |
| No equivalent provision. | SECTION 3. Section 2170.005(a), Government Code, is amended to read as follows:  (a) To ensure efficient operation of the consolidated telecommunications system at minimum cost to the state, the department shall adopt and disseminate to all agencies appropriate guidelines and[~~,~~] operating procedures[~~,~~] and may publish telephone directories listed under Subchapter I, Chapter 55, Utilities Code, Sections 55.202 and 55.203 on a state Internet website. |  |
| No equivalent provision. | SECTION 4. Subchapter I, Chapter 55, Utilities Code, is amended by adding Section 55.204 to read as follows:  Sec. 55.204. ELECTRONIC TELEPHONE DIRECTORY. (a) Notwithstanding any other law, a telecommunication provider or telecommunications utility to further the recycling goals, may publish on the provider's or the utility's Internet website a telephone directory or directory listing instead of providing for general distribution to the public of printed directories or listings.  (b) A provider or utility that publishes a telephone directory or directory listing as described by Subsection (a) shall provide a print or digital copy of the directory or listing to a customer on request. If a provider or utility exercises this option, it shall notify its customers that provider or utility shall provide the first print or digital copy requested by a customer in each calendar year at no charge to the customer. |  |
| SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011. | SECTION 5. Same as House version. |  |