

AN ACT

relating to the state contracting duties of the quality assurance team and Contract Advisory Team.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2054.158, Government Code, is amended to read as follows:

Sec. 2054.158. QUALITY ASSURANCE TEAM; DUTIES. (a) The state auditor, Legislative Budget Board, and department shall:

(1) create a quality assurance team to perform the duties specified in this chapter and other law; and

(2) specify in writing the responsibilities of the state auditor, Legislative Budget Board, and department in performing the duties.

(b) The quality assurance team shall:

(1) develop and recommend policies and procedures to improve state agency information resources technology projects; and

(2) develop and recommend procedures to improve the implementation of state agency information resources technology projects by including considerations for best value and return on investment.

SECTION 2. Section 2262.101, Government Code, is amended to read as follows:

Sec. 2262.101. CREATION; DUTIES. (a) The Contract Advisory

Team is created to assist state agencies in improving contract management practices by:

(1) reviewing and making recommendations on the solicitation documents and contract documents for ~~[of major]~~ contracts of ~~[by]~~ state agencies that have a value of at least \$10 million;

(2) reviewing any findings or recommendations made by the state auditor, including those made under Section 2262.052(b), regarding a state agency's compliance with the contract management guide; ~~[and]~~

(3) providing recommendations to the comptroller ~~[commission]~~ regarding:

(A) the development of the contract management guide; and

(B) the training under Section 2262.053;

(4) developing and recommending policies and procedures to improve state agency contract management practices;

(5) developing and recommending procedures to improve state agency contracting practices by including consideration for best value; and

(6) creating and periodically performing a risk assessment to determine the appropriate level of management and oversight of contracts by state agencies.

(b) The risk assessment created and reviewed under Subsection (a)(6) must include, but is not limited to the following criteria:

(1) the amount of appropriations to the agency;

1           (2) total contract value as percentage of  
2 appropriation to the agency; or

3           (3) the impact of the functions and duties of the state  
4 agency on health, safety, and well-being of citizens.

5           (c) The comptroller shall oversee the activities of the  
6 team, including ensuring that the team carries out its duties under  
7 Subsection (a)(5).

8           (d) A state agency shall:

9           (1) comply with a recommendation made under Subsection  
10 (a)(1); or

11           (2) submit a written explanation regarding why the  
12 recommendation is not applicable to the contract under review.

13           SECTION 3. Section 2262.102, Government Code, is amended by  
14 amending Subsection (a) and adding Subsections (c) and (d) to read  
15 as follows:

16           (a) The team consists of the following six [~~five~~] members:

17           (1) one member from the Health and Human Services  
18 Commission [~~attorney general's office~~];

19           (2) one member from the comptroller's office;

20           (3) one member from the Department of Information  
21 Resources;

22           (4) one member from the Texas Facilities [~~Building and~~  
23 ~~Procurement~~] Commission; [~~and~~]

24           (5) one member from the governor's office; and

25           (6) one member from a small state agency.

26           (c) The attorney general's office shall provide legal  
27 assistance to the team.

1        (d) In this section, "small state agency" means a state  
2 agency with fewer than 100 employees.

3        SECTION 4. This Act takes effect September 1, 2013.

H.B. No. 1965

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1965 was passed by the House on May 7, 2013, by the following vote: Yeas 125, Nays 2, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1965 on May 22, 2013, by the following vote: Yeas 141, Nays 2, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1965 was passed by the Senate, with amendments, on May 20, 2013, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor