

1-1 By: Harper-Brown (Senate Sponsor - Zaffirini) H.B. No. 1965
 1-2 (In the Senate - Received from the House May 8, 2013;
 1-3 May 9, 2013, read first time and referred to Committee on
 1-4 Government Organization; May 17, 2013, reported adversely, with
 1-5 favorable Committee Substitute by the following vote: Yeas 6,
 1-6 Nays 0; May 17, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 1965 By: Zaffirini

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the state contracting duties of the quality assurance
 1-20 team and Contract Advisory Team.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 2054.158, Government Code, is amended to
 1-23 read as follows:

1-24 Sec. 2054.158. QUALITY ASSURANCE TEAM; DUTIES. (a) The
 1-25 state auditor, Legislative Budget Board, and department shall:

1-26 (1) create a quality assurance team to perform the
 1-27 duties specified in this chapter and other law; and

1-28 (2) specify in writing the responsibilities of the
 1-29 state auditor, Legislative Budget Board, and department in
 1-30 performing the duties.

1-31 (b) The quality assurance team shall:

1-32 (1) develop and recommend policies and procedures to
 1-33 improve state agency information resources technology projects;
 1-34 and

1-35 (2) develop and recommend procedures to improve the
 1-36 implementation of state agency information resources technology
 1-37 projects by including considerations for best value and return on
 1-38 investment.

1-39 SECTION 2. Section 2262.101, Government Code, is amended to
 1-40 read as follows:

1-41 Sec. 2262.101. CREATION; DUTIES. (a) The Contract Advisory
 1-42 Team is created to assist state agencies in improving contract
 1-43 management practices by:

1-44 (1) reviewing and making recommendations on the
 1-45 solicitation documents and contract documents for [of major]
 1-46 contracts of [by] state agencies that have a value of at least \$10
 1-47 million;

1-48 (2) reviewing any findings or recommendations made by
 1-49 the state auditor, including those made under Section 2262.052(b),
 1-50 regarding a state agency's compliance with the contract management
 1-51 guide; ~~and~~

1-52 (3) providing recommendations to the comptroller
 1-53 ~~[commission]~~ regarding:

1-54 (A) the development of the contract management
 1-55 guide; and

1-56 (B) the training under Section 2262.053;

1-57 (4) developing and recommending policies and
 1-58 procedures to improve state agency contract management practices;
 1-59 and

1-60 (5) developing and recommending procedures to improve

2-1 state agency contracting practices by including consideration for
2-2 best value.
2-3 (6) creating and periodically performing a risk
2-4 assessment to determine the appropriate level of management and
2-5 oversight of contracts by state agencies.
2-6 (b) The risk assessment created and reviewed under
2-7 Subsection (a)(6) must include, but is not limited to the following
2-8 criteria:
2-9 (1) the amount of appropriations to the agency;
2-10 (2) total contract value as percentage of
2-11 appropriation to the agency; or
2-12 (3) the impact of the functions and duties of the state
2-13 agency on health, safety, and well-being of citizens.
2-14 (c) The comptroller shall oversee the activities of the
2-15 team, including ensuring that the team carries out its duties under
2-16 Subsection (a)(5).
2-17 (d) A state agency shall:
2-18 (1) comply with a recommendation made under Subsection
2-19 (a)(1); or
2-20 (2) submit a written explanation regarding why the
2-21 recommendation is not applicable to the contract under review.
2-22 SECTION 3. Section 2262.102, Government Code, is amended to
2-23 read as follows: by amending Subsection (a) and adding Subsection
2-24 (c) and (d) to read as follows:
2-25 (a) The team consists of the following six [~~five~~] members:
2-26 (1) one member from the Health and Human Services
2-27 Commission [~~attorney general's office~~];
2-28 (2) one member from the comptroller's office;
2-29 (3) one member from the Department of Information
2-30 Resources;
2-31 (4) one member from the Texas Facilities [~~Building and~~
2-32 Procurement] Commission; and
2-33 (5) one member from the governor's office; and
2-34 (6) one member from a small state agency.
2-35 (c) The attorney general's office shall provide legal
2-36 assistance to the team.
2-37 (d) In this section, "small state agency" means a state
2-38 agency with fewer than 100 employees.
2-39 SECTION 4. This Act takes effect September 1, 2013.

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