

By: Reynolds

H.B. No. 1994

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the purchase of certain commodity items by a state  
3 agency.

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

5 SECTION 1. Section 2157.068, Government Code, is amended by  
6 amending Subsections (f) and (g) and adding Subsection (f-1) to  
7 read as follows:

8 (f) The department may adopt rules regulating a purchase by  
9 a state agency of a commodity item under this section, including a  
10 requirement that, notwithstanding other provisions of this  
11 chapter, the agency must make the purchase in accordance with a  
12 contract developed by the department unless ~~[the agency obtains]~~:

13 (1) the agency obtains:

14 (A) an exemption from the department; or

15 (B) ~~[(2)]~~ express prior approval from the  
16 Legislative Budget Board for the expenditure necessary for the  
17 purchase; or

18 (2) the department certifies in writing that the  
19 commodity item is not available for purchase under an existing  
20 contract developed by the department.

21 (f-1) A state agency may purchase a commodity item through a  
22 contract developed by a local government purchasing cooperative  
23 under Chapter 791 if the department certifies in writing that the  
24 commodity item is not available for purchase under an existing

1 contract developed by the department.

2 (g) The Legislative Budget Board's approval of a biennial  
3 operating plan under Section 2054.102 is not an express prior  
4 approval for purposes of Subsection (f)(1)(B) [~~(f)(2)~~]. A state  
5 agency must request an exemption from the department under  
6 Subsection (f)(1)(A) [~~(f)(1)~~] before seeking prior approval from  
7 the Legislative Budget Board under Subsection (f)(1)(B) [~~(f)(2)~~].

8 SECTION 2. This Act takes effect September 1, 2013.