

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 commodity item is not available for purchase
19 under an existing contract developed by the department.

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

24 (g) The Legislative Budget Board's approval of a biennial

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

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