

By: Davis

S.B. No. 1308

A BILL TO BE ENTITLED

AN ACT

1
2 relating to auditing and monitoring of performance under contracts
3 for state-adopted assessment instruments administered to public
4 school students.

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

6 SECTION 1. Subchapter B, Chapter 39, Education Code, is
7 amended by adding Section 39.038 to read as follows:

8 Sec. 39.038. AUDITING AND MONITORING PERFORMANCE UNDER
9 CONTRACTS FOR ASSESSMENT INSTRUMENTS. (a) The agency by rule shall
10 develop a comprehensive methodology for auditing and monitoring
11 performance under contracts for services to develop or administer
12 assessment instruments required by Section 39.023 to verify
13 compliance with contractual obligations.

14 (b) The agency shall ensure that all new and renewed
15 contracts described by Subsection (a) include a provision that the
16 agency or a designee of the agency may conduct periodic contract
17 compliance reviews, without advance notice, to monitor vendor
18 performance.

19 (c) The agency shall adopt rules to administer this section.

20 SECTION 2. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2013.