

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 24, 2013

TO: Honorable Linda Harper-Brown, Chair, House Committee on Government Efficiency & Reform

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2605** by Flynn (Relating to contracts for certain professional services and the distribution of certain consultants' reports.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code, Section 2254 to permit state agencies to award multiple contracts under the same request for qualification for architectural, engineering or land surveying services if certain criteria are met, including negotiating contracts sequentially and distributing services performed equally among contracts. The bill would also require that consulting services contracts include a provision that allows the contracting state agency to distribute any report produced from the contract and post it on the agency or a standing legislative committee website.

The change made by the bill on requiring contracts to include a distribution provision applies only to contracts entered into on or after the effective date of the bill unless negotiations began prior to the effective date and the contract is signed by December 1, 2013. The bill takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If the bill does not receive the vote necessary for immediate effect, it takes effect September 1, 2013.

Multiple agencies including the Texas Facilities Commission, the Employees Retirement System, the Teacher Retirement System, and the Texas Department of Insurance indicate that any costs associated with the bill could be absorbed within each agency's existing resources. The Texas Department of Transportation anticipates that there may be a cost associated with implementing provisions of the bill. It is assumed that the costs could be absorbed within current agency resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 303 Facilities Commission, 327 Employees Retirement System, 601 Department of Transportation, 323 Teacher Retirement System, 454 Department of Insurance

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