

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 22, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3648 by Harper-Brown (Relating to the award and performance of certain state contracts.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code, Chapter 2155 to require the performance of a contract for goods or services awarded under this chapter to substantially comply with the terms in the written solicitation for the contract and the terms considered in awarding the contract. The bill would also require the governing body of a state agency to hold a meeting after awarding a contract to consider a material change to the contract and why that change is necessary if applicable. The bill would amend the Government Code, Chapter 2252 relating to a governmental entity awarding a contract to a non-resident bidder. The bill would also amend the Transportation Code, Chapter 223 by identifying the terms in which a private sector provider is given preference in awarding a contract.

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.

The Texas Parks and Wildlife Department and the Texas Department of Transportation anticipate 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. The Comptroller of Public Accounts, the Office of the Attorney General, the Health and Human Services Commission, the Texas Education Agency, and the Texas Department of Insurance anticipate any additional work resulting from the passage of the bill could be reasonably absorbed within current resources.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 454 Department of Insurance, 529 Health and Human Services Commission, 601 Department of Transportation, 701 Central Education Agency, 802 Parks and Wildlife Department

LBB Staff: UP, KJo, Ji, JJO, KKR, SD, TG, LCO, TB, ER

