

House Bill 1965
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 2054.158, Government Code, is amended to read as follows:

Sec. 2054.158. **QUALITY ASSURANCE TEAM; DUTIES.**

(a) The state auditor, Legislative Budget Board, and department shall:

(1) create a quality assurance team to perform the duties specified in this chapter and other law; and

(2) specify in writing the responsibilities of the state auditor, Legislative Budget Board, and department in performing the duties.

(b) The quality assurance team shall:

(1) develop and recommend policies and procedures to improve state agency contract management practices;

(2) develop and recommend procedures to improve value-based decision making in state agency contracting practices; and

(3) monitor state agencies to determine whether the agencies are meeting the needs of the persons to whom the agencies provide services.

SECTION 2. Section 2262.101, Government Code, is amended to read as follows:

Sec. 2262.101. **CREATION; DUTIES.** The Contract Advisory Team is created to assist state agencies in improving contract management practices by:

(1) reviewing the solicitation of major contracts by state agencies;

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SECTION 1. Section 2054.158, Government Code, is amended to read as follows:

Sec. 2054.158. **QUALITY ASSURANCE TEAM; DUTIES.**

(a) The state auditor, Legislative Budget Board, and department shall:

(1) create a quality assurance team to perform the duties specified in this chapter and other law; and

(2) specify in writing the responsibilities of the state auditor, Legislative Budget Board, and department in performing the duties.

(b) The quality assurance team shall:

(1) develop and recommend policies and procedures to improve state agency information resources technology projects; and

(2) develop and recommend procedures to improve the implementation of state agency information resources technology projects by including considerations for best value and return on investment.

SECTION 2. Section 2262.101, Government Code, is amended to read as follows:

Sec. 2262.101. **CREATION; DUTIES.** (a) The Contract Advisory Team is created to assist state agencies in improving contract management practices by:

(1) reviewing and making recommendations on the solicitation documents and contract documents for [of major]

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- (2) reviewing any findings or recommendations made by the state auditor, including those made under Section 2262.052(b), regarding a state agency's compliance with the contract management guide; ~~and~~
- (3) providing recommendations to the **commission** regarding:
 - (A) the development of the contract management guide; and
 - (B) the training under Section 2262.053;
- (4) developing and recommending policies and procedures to improve state agency contract management practices;
- (5) developing and recommending procedures to improve value-based decision making in state agency contracting practices; and
- (6) monitoring state agencies to determine whether the agencies are meeting the needs of the persons to whom the agencies provide services.

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contracts ~~of [by]~~ state agencies **that have a value of at least \$10 million;**

- (2) reviewing any findings or recommendations made by the state auditor, including those made under Section 2262.052(b), regarding a state agency's compliance with the contract management guide; ~~and~~
- (3) providing recommendations to the **comptroller** ~~commission~~ regarding:
 - (A) the development of the contract management guide; and
 - (B) the training under Section 2262.053;
- (4) developing and recommending policies and procedures to improve state agency contract management practices; and
- (5) developing and recommending procedures to improve state agency contracting practices by including consideration for best value.

(6) creating and periodically performing a risk assessment to determine the appropriate level of management and oversight of contracts by state agencies.

(b) The risk assessment created and reviewed under Subsection (a)(6) must include, but is not limited to the following criteria:

- (1) the amount of appropriations to the agency;
- (2) total contract value as percentage of appropriation to the agency; or
- (3) the impact of the functions and duties of the state agency on health, safety, and well-being of citizens.
- (c) The comptroller shall oversee the activities of the team, including ensuring that the team carries out its duties under Subsection (a)(5).

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(d) A state agency shall:
(1) comply with a recommendation made under Subsection
(a)(1); or
(2) submit a written explanation regarding why the
recommendation is not applicable to the contract under
review.

SECTION 3. Section 2262.102, Government Code, is amended to read as follows: by amending Subsection (a) and adding Subsection (c) and (d) to read as follows:
(a) The team consists of the following six ~~[five]~~ members:
(1) one member from the Health and Human Services Commission ~~[attorney general's office]~~;
(2) one member from the comptroller's office;
(3) one member from the Department of Information Resources;
(4) one member from the Texas Facilities ~~[Building and Procurement]~~ Commission; and
(5) one member from the governor's office; and
(6) one member from a small state agency.
(c) The attorney general's office shall provide legal assistance to the team.
(d) In this section, "small state agency" means a state agency with fewer than 100 employees.

No equivalent provision.

SECTION 3. This Act takes effect September 1, 2013.

SECTION 4. Same as House version.