

SENATE AMENDMENTS

2nd Printing

By: Geren

H.B. No. 2475

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the establishment of the center for alternative finance
3 and procurement within the Texas Facilities Commission and to
4 public and private partnerships; authorizing a fee.

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

6 SECTION 1. Subchapter C, Chapter 2152, Government Code, is
7 amended by adding Section 2152.110 to read as follows:

8 Sec. 2152.110. CENTER FOR ALTERNATIVE FINANCE AND
9 PROCUREMENT. The commission shall establish the center for
10 alternative finance and procurement to consult with governmental
11 entities regarding best practices for procurement and the financing
12 of qualifying projects and to assist governmental entities in the
13 receipt of proposals, negotiation of interim and comprehensive
14 agreements, and management of qualifying projects under Chapters
15 2267 and 2268.

16 SECTION 2. Section 2267.001, Government Code, is amended by
17 amending Subdivision (1-a) and adding Subdivision (1-b) to read as
18 follows:

19 (1-a) "Center" means the center for alternative
20 finance and procurement established under Section 2152.110 by the
21 Texas Facilities Commission.

22 (1-b) "Commission" means the Partnership Advisory
23 Commission established under Chapter 2268.

24 SECTION 3. Sections 2267.052(a), (b), (c), and (c-1),

1 Government Code, are amended to read as follows:

2 (a) Before requesting or considering a proposal for a
3 qualifying project, a responsible governmental entity must, with
4 the assistance of the center, adopt and make publicly available
5 guidelines that enable the governmental entity to comply with this
6 chapter. The guidelines must be reasonable, encourage
7 competition, and guide the selection of projects under the purview
8 of the responsible governmental entity.

9 (b) The guidelines for a responsible governmental entity
10 described by Section 2267.001(5)(A) must:

11 (1) require the responsible governmental entity to:

12 (A) make a representative of the entity available
13 to meet with persons who are considering submitting a proposal; and

14 (B) provide notice of the representative's
15 availability;

16 (2) provide reasonable criteria for choosing among
17 competing proposals;

18 (3) contain suggested timelines for selecting
19 proposals and negotiating an interim or comprehensive agreement;

20 (4) allow the responsible governmental entity to
21 accelerate the selection, review, and documentation timelines for
22 proposals involving a qualifying project considered a priority by
23 the entity;

24 (5) include financial review and analysis procedures
25 that at a minimum consist of:

26 (A) a cost-benefit analysis;

27 (B) an assessment of opportunity cost;

1 (C) consideration of the degree to which
2 functionality and services similar to the functionality and
3 services to be provided by the proposed project are already
4 available in the private market; and

5 (D) consideration of the results of all studies
6 and analyses related to the proposed qualifying project;

7 (6) allow the responsible governmental entity to
8 consider the nonfinancial benefits of a proposed qualifying
9 project;

10 (7) ensure that the governmental entity, for a
11 proposed project to improve real property, evaluates design
12 quality, life-cycle costs, and the proposed project's relationship
13 to any relevant comprehensive planning or zoning requirements;

14 (8) include criteria for:

15 (A) the qualifying project, including the scope,
16 costs, and duration of the project and the involvement or impact of
17 the project on multiple public entities;

18 (B) the creation of and the responsibilities of
19 an oversight committee, with members representing the responsible
20 governmental entity, that acts as an advisory committee to review
21 the terms of any proposed interim or comprehensive agreement; and

22 (C) the center's involvement in the procurement
23 and delivery of the qualifying project [~~compliance with the~~
24 ~~requirements of Chapter 2268~~];

25 (9) require the responsible governmental entity to
26 analyze the adequacy of the information to be released by the entity
27 when seeking competing proposals and require that the entity

1 provide more detailed information, if the entity determines
2 necessary, to encourage competition, subject to Section
3 2267.053(g);

4 (10) establish criteria, key decision points, and
5 approvals required to ensure that the responsible governmental
6 entity considers the extent of competition before selecting
7 proposals and negotiating an interim or comprehensive agreement;
8 and

9 (11) require the posting and publishing of public
10 notice of a proposal requesting approval of a qualifying project,
11 including:

12 (A) specific information and documentation
13 regarding the nature, timing, and scope of the qualifying project,
14 as required under Section 2267.053(a);

15 (B) a reasonable period, as determined by the
16 responsible governmental entity, of not less than 45 days or more
17 than 180 days, or a longer period specified by the governing body of
18 the responsible governmental entity to accommodate a large-scale
19 project, to encourage competition and partnerships with private
20 entities and other persons in accordance with the goals of this
21 chapter, during which the responsible governmental entity must
22 accept submission of competing proposals for the qualifying
23 project; and

24 (C) a requirement for advertising the notice on
25 the governmental entity's Internet website and on TexasOnline or
26 the state's official Internet website.

27 (c) The guidelines of a responsible governmental entity

1 described by Section 2267.001(5)(B) must include:

2 (1) the provisions required under Subsection (b); and

3 (2) a requirement that the governmental entity engage
4 the services of qualified professionals, including an architect,
5 professional engineer, or certified public accountant, not
6 otherwise employed by the governmental entity, or the center to
7 provide independent analyses regarding the specifics, advantages,
8 disadvantages, and long-term and short-term costs of [~~any proposal~~
9 ~~requesting approval of~~] a qualifying project unless the governing
10 body of the governmental entity determines that the analysis [~~of~~
11 ~~the proposal~~] is to be performed by similarly qualified employees
12 of the governmental entity.

13 (c-1) For a proposal with an estimated cost of \$5 million or
14 more for [~~the~~] construction or renovation under [~~of~~] a qualifying
15 [~~structure or~~] project, the analysis conducted under Subsection
16 (c)(2) must include review [~~of the proposal~~] by an architect, a
17 professional engineer, and a certified public accountant not
18 otherwise employed by the governmental entity.

19 SECTION 4. Section 2267.053(d), Government Code, is amended
20 to read as follows:

21 (d) The responsible governmental entity may charge a
22 reasonable fee to cover the costs of processing, reviewing, and
23 evaluating the proposal, including reasonable legal fees and fees
24 for the center's review and consultation and for other financial
25 and [~~7~~] technical [~~7 and other necessary~~] advisors or consultants.

26 SECTION 5. Section 2267.058(g), Government Code, is amended
27 to read as follows:

1 (g) The comprehensive agreement must provide that a
2 security document or other instrument purporting to mortgage,
3 pledge, encumber, or create a lien, charge, or security interest on
4 or against the contracting party's interest may not extend to or
5 affect the fee simple interest of the state in the qualifying
6 project or the state's rights or interests under the comprehensive
7 agreement. Any holder of debt shall acknowledge that the mortgage,
8 pledge, or encumbrance or a lien, charge, or security interest on or
9 against the contracting party's interest is subordinate to the fee
10 simple interest of the state in the qualifying project [~~and the~~
11 ~~state's rights or interests under the comprehensive agreement~~].

12 SECTION 6. Section 2267.065(b), Government Code, is amended
13 to read as follows:

14 (b) A responsible governmental entity may enter into a
15 comprehensive agreement only in accordance with guidelines that
16 require the contracting person to design and construct the
17 qualifying project in accordance with procedures that do not
18 materially conflict with those specified in:

19 (1) Subchapter G, Chapter 2269, for facilities
20 projects described by Section 2269.302 [2166.2531]; or

21 (2) Subchapter H, Chapter 2269 [Section 44.036,
22 ~~Education Code,~~

23 [~~3) Section 51.780, Education Code,~~

24 [~~4) Section 271.119, Local Government Code, or~~

25 [~~5) Subchapter J, Chapter 271, Local Government~~

26 ~~Code], for civil works projects as defined by Section 2269.351~~

27 [~~271.181(2), Local Government Code].~~

1 SECTION 7. Section 2268.001, Government Code, is amended by
2 amending Subdivision (1) and adding Subdivision (1-a) to read as
3 follows:

4 (1) "Center" means the center for alternative finance
5 and procurement established under Section 2152.110 by the Texas
6 Facilities Commission.

7 (1-a) "Commission" means the Partnership Advisory
8 Commission.

9 SECTION 8. Section 2268.056(d), Government Code, is amended
10 to read as follows:

11 (d) The center [~~Texas Facilities Commission~~], using the
12 qualifying project fees authorized under Section 2165.353, shall
13 provide, on a cost recovery basis, professional services [~~of its~~
14 ~~architectural, engineering, and real estate staff and the~~
15 ~~expertise~~] of financial, technical, and other necessary advisors
16 and consultants, authorized under Section 2267.053(d), as
17 necessary to support the Partnership Advisory Commission in its
18 review and evaluation of proposals, including financial and risk
19 allocation analysis and ongoing contract performance monitoring of
20 qualifying projects. The center [~~Texas Facilities Commission~~]
21 shall assign staff and contracted advisors and consultants
22 necessary to perform the duties required by this subsection.

23 SECTION 9. Section 2268.059, Government Code, is amended to
24 read as follows:

25 Sec. 2268.059. CONFIDENTIALITY OF CERTAIN RECORDS
26 SUBMITTED TO COMMISSION. Records and information afforded
27 protection under Section 552.153 that are provided by a responsible

1 governmental entity to the commission and the presiding officer of
2 the House Appropriations Committee and of the Senate Finance
3 Committee, or their designees, shall continue to be protected from
4 disclosure when in the possession of the commission and the
5 presiding officers or their designees.

6 SECTION 10. Section 2267.002(e), Government Code, is
7 repealed.

8 SECTION 11. As soon as practicable after the effective date
9 of this Act, the Texas Facilities Commission shall adopt the rules
10 necessary to establish the center for alternative finance and
11 procurement in accordance with Section 2152.110, Government Code,
12 as added by this Act.

13 SECTION 12. This Act takes effect September 1, 2015.

ADOPTED

MAY 26 2015

Atalay Spaw
Secretary of the Senate

By: _____

H.B. No. 2975

Substitute the following for ____B. No. ____:

By: *[Signature]*

C.S. ____B. No. ____

A BILL TO BE ENTITLED

AN ACT

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relating to the establishment of the center for alternative finance and procurement within the Texas Facilities Commission and to public and private partnerships; authorizing a fee.

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

SECTION 1. Subchapter C, Chapter 2152, Government Code, is amended by adding Section 2152.110 to read as follows:

Sec. 2152.110. CENTER FOR ALTERNATIVE FINANCE AND PROCUREMENT. The commission shall establish the center for alternative finance and procurement to consult with governmental entities regarding best practices for procurement and the financing of qualifying projects and to assist governmental entities in the receipt of proposals, negotiation of interim and comprehensive agreements, and management of qualifying projects under Chapters 2267 and 2268.

SECTION 2. Section 2267.001, Government Code, is amended by amending Subdivision (1-a) and adding Subdivision (1-b) to read as follows:

(1-a) "Center" means the center for alternative finance and procurement established under Section 2152.110 by the Texas Facilities Commission.

(1-b) "Commission" means the Partnership Advisory Commission established under Chapter 2268.

SECTION 3. Section 2267.051, Government Code, is amended to

1 read as follows:

2 Sec. 2267.051. APPROVAL REQUIRED~~[, SUBMISSION OF PROPOSAL~~
3 ~~FOR QUALIFYING PROJECT]~~. ~~[(a)]~~ A person may not develop or operate
4 a qualifying project unless the person obtains the approval of and
5 contracts with the responsible governmental entity under this
6 chapter. ~~[The person may initiate the approval process by~~
7 ~~submitting a proposal requesting approval under Section~~
8 ~~2267.053(a), or the responsible governmental entity may request~~
9 ~~proposals or invite bids under Section 2267.053(b)].~~

10 ~~[(b) A person submitting a proposal requesting approval of a~~
11 ~~qualifying project shall specifically and conceptually identify~~
12 ~~any facility, building, infrastructure, or improvement included in~~
13 ~~the proposal as a part of the qualifying project.]~~

14 ~~[(c) On receipt of a proposal submitted by a person~~
15 ~~initiating the approval process under Section 2267.053(a), the~~
16 ~~responsible governmental entity shall determine whether to accept~~
17 ~~the proposal for consideration in accordance with Sections 2267.052~~
18 ~~and 2267.065 and the guidelines adopted under those sections. A~~
19 ~~responsible governmental entity that determines not to accept the~~
20 ~~proposal for consideration shall return the proposal, all fees, and~~
21 ~~the accompanying documentation to the person submitting the~~
22 ~~proposal.]~~

23 ~~[(d) The responsible governmental entity may at any time~~
24 ~~reject a proposal initiated by a person under Section 2267.053(a).]~~

25 SECTION 4. Sections 2267.052(b), (c), and (c-1), Government
26 Code, are amended to read as follows:

27 (b) The guidelines for a responsible governmental entity

1 described by Section 2267.001(5)(A) must:

2 (1) require the responsible governmental entity to:

3 (A) make a representative of the entity available
4 to meet with persons who are considering submitting a proposal; and

5 (B) provide notice of the representative's
6 availability;

7 (2) provide reasonable criteria for choosing among
8 competing proposals;

9 (3) contain suggested timelines for selecting
10 proposals and negotiating an interim or comprehensive agreement;

11 (4) allow the responsible governmental entity to
12 accelerate the selection, review, and documentation timelines for
13 proposals involving a qualifying project considered a priority by
14 the entity;

15 (5) include financial review and analysis procedures
16 that at a minimum consist of:

17 (A) a cost-benefit analysis;

18 (B) an assessment of opportunity cost;

19 (C) consideration of the degree to which
20 functionality and services similar to the functionality and
21 services to be provided by the proposed project are already
22 available in the private market; and

23 (D) consideration of the results of all studies
24 and analyses related to the proposed qualifying project;

25 (6) allow the responsible governmental entity to
26 consider the nonfinancial benefits of a proposed qualifying
27 project;

1 (7) ensure that the governmental entity, for a
2 proposed project to improve real property, evaluates design
3 quality, life-cycle costs, and the proposed project's relationship
4 to any relevant comprehensive planning or zoning requirements;

5 (8) include criteria for:

6 (A) the qualifying project, including the scope,
7 costs, and duration of the project and the involvement or impact of
8 the project on multiple public entities;

9 (B) the creation of and the responsibilities of
10 an oversight committee, with members representing the responsible
11 governmental entity, that acts as an advisory committee to review
12 the terms of any proposed interim or comprehensive agreement; and

13 (C) the center's role in the review, analysis, or
14 evaluation of the qualifying project [~~compliance with the~~
15 ~~requirements of Chapter 2268~~];

16 (9) require the responsible governmental entity to
17 analyze the adequacy of the information to be released by the entity
18 when seeking competing proposals and require that the entity
19 provide more detailed information, if the entity determines
20 necessary, to encourage competition, subject to Section
21 2267.053(g); and

22 (10) establish criteria, key decision points, and
23 approvals required to ensure that the responsible governmental
24 entity considers the extent of competition before selecting
25 proposals and negotiating an interim or comprehensive agreement [~~+~~
26 ~~and~~

27 [~~(11) require the posting and publishing of public~~

1 ~~notice of a proposal requesting approval of a qualifying project,~~
2 ~~including:~~

3 ~~[(A) specific information and documentation~~
4 ~~regarding the nature, timing, and scope of the qualifying project,~~
5 ~~as required under Section 2267.053(a),~~

6 ~~[(B) a reasonable period, as determined by the~~
7 ~~responsible governmental entity, of not less than 45 days or more~~
8 ~~than 180 days, or a longer period specified by the governing body of~~
9 ~~the responsible governmental entity to accommodate a large-scale~~
10 ~~project, to encourage competition and partnerships with private~~
11 ~~entities and other persons in accordance with the goals of this~~
12 ~~chapter, during which the responsible governmental entity must~~
13 ~~accept submission of competing proposals for the qualifying~~
14 ~~project; and~~

15 ~~[(C) a requirement for advertising the notice on~~
16 ~~the governmental entity's Internet website and on TexasOnline or~~
17 ~~the state's official Internet website].~~

18 (c) The guidelines of a responsible governmental entity
19 described by Section 2267.001(5)(B) must include:

- 20 (1) the provisions required under Subsection (b); and
21 (2) a requirement that the governmental entity engage
22 the services of qualified professionals, including an architect,
23 professional engineer, or registered municipal advisor [~~certified~~
24 ~~public accountant~~], not otherwise employed by the governmental
25 entity, or the center to provide independent analyses regarding the
26 specifics, advantages, disadvantages, and long-term and short-term
27 costs of [~~any proposal requesting approval of~~] a qualifying project

1 unless the governing body of the governmental entity determines
2 that the analysis [~~of the proposal~~] is to be performed by similarly
3 qualified employees of the governmental entity.

4 (c-1) For a proposal with an estimated cost of \$5 million or
5 more for [~~the~~] construction or renovation of a qualifying
6 [~~structure or~~] project, the analysis conducted under Subsection
7 (c)(2) must include review [~~of the proposal~~] by an architect, a
8 professional engineer, and a registered municipal advisor
9 [~~certified public accountant~~] not otherwise employed by the
10 governmental entity.

11 SECTION 5. Section 2267.053(d), Government Code, is amended
12 to read as follows:

13 (d) The responsible governmental entity may charge a
14 reasonable fee to cover the costs of processing, reviewing, and
15 evaluating the proposal, including reasonable legal fees, [~~and~~]
16 fees for financial and[~~7~~] technical[~~7 and other necessary~~] advisors
17 or consultants, and fees for the center's review or consultation.

18 SECTION 6. Section 2267.058(g), Government Code, is amended
19 to read as follows:

20 (g) The comprehensive agreement must provide that a
21 security document or other instrument purporting to mortgage,
22 pledge, encumber, or create a lien, charge, or security interest on
23 or against the contracting party's interest may not extend to or
24 affect the fee simple interest of the state in the qualifying
25 project or the state's rights or interests under the comprehensive
26 agreement. Any holder of debt shall acknowledge that the mortgage,
27 pledge, or encumbrance or a lien, charge, or security interest on or

1 against the contracting party's interest is subordinate to the fee
2 simple interest of the state in the qualifying project [~~and the~~
3 ~~state's rights or interests under the comprehensive agreement~~].

4 SECTION 7. Section 2267.065(b), Government Code, is amended
5 to read as follows:

6 (b) A responsible governmental entity may enter into a
7 comprehensive agreement only in accordance with guidelines that
8 require the contracting person to design and construct the
9 qualifying project in accordance with procedures that do not
10 materially conflict with those specified in:

11 (1) Subchapter G, Chapter 2269, for facilities
12 projects described by Section 2269.302 [~~2166.2531~~]; or

13 (2) Subchapter H, Chapter 2269 [~~Section 44.036,~~
14 ~~Education Code,~~

15 [~~(3) Section 51.780, Education Code,~~

16 [~~(4) Section 271.119, Local Government Code, or~~

17 [~~(5) Subchapter J, Chapter 271, Local Government~~
18 ~~Code~~], for civil works projects as defined by Section 2269.351
19 [~~271.181(2), Local Government Code~~].

20 SECTION 8. Section 2267.066(a), Government Code, is amended
21 to read as follows:

22 (a) Not later than the 10th day after the date a responsible
23 governmental entity accepts a proposal submitted in accordance with
24 Section 2267.053(b) [~~2267.053(a) or (b)~~], the responsible
25 governmental entity shall provide notice of the proposal as
26 follows:

27 (1) for a responsible governmental entity described by

1 Section 2267.001(5)(A), by posting the proposal on the entity's
2 Internet website; and

3 (2) for a responsible governmental entity described by
4 Section 2267.001(5)(B), by:

5 (A) posting a copy of the proposal on the
6 entity's Internet website; or

7 (B) publishing in a newspaper of general
8 circulation in the area in which the qualifying project is to be
9 performed a summary of the proposal and the location where copies of
10 the proposal are available for public inspection.

11 SECTION 9. Section 2268.001, Government Code, is amended by
12 amending Subdivision (1) and adding Subdivision (1-a) to read as
13 follows:

14 (1) "Center" means the center for alternative finance
15 and procurement established under Section 2152.110 by the Texas
16 Facilities Commission.

17 (1-a) "Commission" means the Partnership Advisory
18 Commission.

19 SECTION 10. Section 2268.056(d), Government Code, is
20 amended to read as follows:

21 (d) The center [~~Texas Facilities Commission~~], using the
22 qualifying project fees authorized under Section 2165.353, shall
23 provide, on a cost recovery basis, professional services [~~of its~~
24 ~~architectural, engineering, and real estate staff and the~~
25 ~~expertise~~] of financial, technical, and other necessary advisors
26 and consultants, authorized under Section 2267.053(d), as
27 necessary to support the Partnership Advisory Commission in its

1 review and evaluation of proposals, including financial and risk
2 allocation analysis and ongoing contract performance monitoring of
3 qualifying projects. The center [~~Texas Facilities Commission~~]
4 shall assign staff and contracted advisors and consultants
5 necessary to perform the duties required by this subsection.

6 SECTION 11. Section 2268.059, Government Code, is amended
7 to read as follows:

8 Sec. 2268.059. CONFIDENTIALITY OF CERTAIN RECORDS
9 SUBMITTED TO COMMISSION. Records and information afforded
10 protection under Section 552.153 that are provided by a responsible
11 governmental entity to the commission and the presiding officer of
12 the House Appropriations Committee and of the Senate Finance
13 Committee, or their designees, shall continue to be protected from
14 disclosure when in the possession of the commission and the
15 presiding officers or their designees.

16 SECTION 12. The following provisions of the Government Code
17 are repealed:

- 18 (1) Section 2267.002(e); and
- 19 (2) Sections 2267.053(a) and (a-1).

20 SECTION 13. As soon as practicable after the effective date
21 of this Act, the Texas Facilities Commission shall adopt the rules
22 necessary to establish the center for alternative finance and
23 procurement in accordance with Section 2152.110, Government Code,
24 as added by this Act.

25 SECTION 14. This Act takes effect September 1, 2015.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 27, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2475** by Geren (Relating to the establishment of the center for alternative finance and procurement within the Texas Facilities Commission and to public and private partnerships; authorizing a fee.), **As Passed 2nd House**

The fiscal implications of the bill cannot be determined at this time due to unavailability of data estimating the amount of public private partnership proposals governmental entities receive in Texas.

The bill would amend Government Code to create a center for alternative finance and procurement within the Texas Facilities Commission to consult with and assist governmental entities, that have elected or adopted a resolution to operate under the relevant state government code, with private public partnership proposals. Additionally, the bill would authorize the center to collect a fee.

The fiscal implications of this bill cannot be determined at this time due to the unavailability of data estimating the amount of governmental entities that would participate or the number of public private partnership proposals governmental entities receive in Texas.

Local Government Impact

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

Source Agencies: 303 Facilities Commission, 304 Comptroller of Public Accounts

LBB Staff: UP, SD, CL, EP, KPe

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 22, 2015

TO: Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2475 by Geren (Relating to the establishment of the center for alternative finance and procurement within the Texas Facilities Commission and to public and private partnerships; authorizing a fee.), **Committee Report 2nd House, Substituted**

The fiscal implications of the bill cannot be determined at this time due to unavailability of data estimating the amount of public private partnership proposals governmental entities receive in Texas.

The bill would amend Government Code to create a center for alternative finance and procurement within the Texas Facilities Commission to consult with and assist governmental entities, that have elected or adopted a resolution to operate under the relevant state government code, with private public partnership proposals. Additionally, the bill would authorize the center to collect a fee.

The fiscal implications of this bill cannot be determined at this time due to the unavailability of data estimating the amount of governmental entities that would participate or the number of public private partnership proposals governmental entities receive in Texas.

Local Government Impact

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

Source Agencies: 303 Facilities Commission, 304 Comptroller of Public Accounts

LBB Staff: UP, CL, EP, KPe

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 18, 2015

TO: Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2475 by Geren (Relating to the establishment of the center for alternative finance and procurement within the Texas Facilities Commission and to public and private partnerships; authorizing a fee.), **As Engrossed**

The fiscal implications of the bill cannot be determined at this time due to unavailability of data estimating the amount of public private partnership proposals governmental entities receive in Texas.

The bill would amend Government Code to create a center for alternative finance and procurement within the Texas Facilities Commission to consult with and assist governmental entities, that have elected or adopted a resolution to operate under the relevant state government code, with private public partnership proposals. Additionally, the bill would authorize the center to collect a fee.

The fiscal implications of this bill cannot be determined at this time due to the unavailability of data estimating the amount of governmental entities that would participate or the number of public private partnership proposals governmental entities receive in Texas.

Local Government Impact

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

Source Agencies:

LBB Staff: UP, CL, AG, EP, KPe

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 5, 2015

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2475 by Geren (Relating to the establishment of the center for alternative finance and procurement within the Texas Facilities Commission and to public and private partnerships; authorizing a fee.), **Committee Report 1st House, Substituted**

The fiscal implications of the bill cannot be determined at this time due to unavailability of data estimating the amount of public private partnership proposals governmental entities receive in Texas.

The bill would amend Government Code to create a center for alternative finance and procurement within the Texas Facilities Commission to consult with and assist governmental entities, that have elected or adopted a resolution to operate under the relevant state government code, with private public partnership proposals. Additionally, the bill would authorize the center to collect a fee.

The fiscal implications of this bill cannot be determined at this time due to the unavailability of data estimating the amount of governmental entities that would participate or the number of public private partnership proposals governmental entities receive in Texas.

Local Government Impact

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

Source Agencies:

LBB Staff: UP, AG, EP, KPe

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 7, 2015

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2475 by Geren (Relating to the establishment of the center for alternative finance and procurement within the Texas Facilities Commission and to public and private partnerships; authorizing a fee.), **As Introduced**

The fiscal implications of the bill cannot be determined at this time due to the unavailability of data estimating the amount of public private partnership proposals governmental entities receive in Texas.

The bill would amend Government Code to create a center for alternative finance and procurement within the Texas Facilities Commission to consult with and assist governmental entities with private public partnership proposals. Additionally, the bill would authorize the center to collect a fee.

The fiscal implications of this bill cannot be determined at this time due to the unavailability of data estimating the amount of public private partnership proposals governmental entities receive in Texas.

Local Government Impact

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

Source Agencies: 303 Facilities Commission, 304 Comptroller of Public Accounts

LBB Staff: UP, AG, EP, KPe, KVe