

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 24, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB255 by Zaffirini (Relating to training for governmental entities and vendors, including purchasing and contract management training; authorizing fees.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend Subchapter C of Chapter 656 of the Government Code, regarding training for state officers and employees.

The bill would require state agencies that spend more than \$5,000 per fiscal year for training of any individual employee to submit certain agency training information to the Legislative Budget Board.

The bill would require the Comptroller of Public Accounts to develop and provide a purchasing and contract management training program to meet the needs of state agencies. The bill would authorize the Comptroller to assess a fee for training in an amount not to exceed the costs incurred to provide the training. The bill would authorize state agencies, in consultation with the Comptroller, to develop agency-specific purchasing and contract management training programs to be administered by the agency to the agency's employees instead of or as a supplement to training programs developed by the Comptroller under the bill's provisions.

The bill would require state agency personnel directly involved in contract negotiations for the purchase of information resources technologies to complete the training developed by the Department of Information Resources. The bill would add to the items to be included in this training, information on how to use cooperative contracts entered into by the Department of Information Resources.

The bill would make inapplicable Government Code provisions pertaining to the training and certification for contract managers to: (1) institutions of higher education; (2) contract managers whose contract management duties relate primarily to certain contracts entered into by the Texas Department of Transportation.

The bill would make inapplicable Government Code provisions pertaining to training for governing bodies to the Texas Transportation Commission.

The bill would make applicable Government Code provisions pertaining to public and private facilities and infrastructure to metropolitan rapid transit authorities operating under Transportation Code provisions pertaining to such authorities, and certain other transportation authorities for which the principal municipality served has a population of less than 1.9 million.

The bill would make inapplicable Government Code provisions pertaining to disclosure of interested parties, with regards to governmental entity contracts, to a contract with (1) a publicly traded business entity, including a wholly owned subsidiary of the business entity; (2) an electric utility; and (3) a gas utility. The bill would specify that the disclosure of interested parties under these provisions, submitted on a form prescribed by the Texas Ethics Commission, is: (1) required to include, among other things, a written and sworn declaration that is substantially similar to a form specified by the bill's provisions, and (2) to be subscribed as true by the authorized agent of the contracting business entity, under the penalty of perjury. The bill would require this declaration to be made in lieu of the signature of the authorized agent acknowledging that the disclosure is made under oath and under the penalty of perjury.

The bill would take effect September 1, 2017.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 313 Department of Information Resources

LBB Staff: UP, CL, JPU, DRE, KK