

BILL ANALYSIS

Senate Research Center

S.B. 65
By: Nelson
Finance
3/5/2019
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas has seen many procurement difficulties at our state agencies. Despite procurement reforms over the past two legislative sessions, several well-publicized instances of agencies failing to adhere to procurement laws highlight the need for further reform.

S.B. 65 ensures that safeguards and consistent contracting practices are in place to achieve the best value for the state in every procurement. S.B. 65 better allocates resources to provide more oversight during the stages of procurement when agencies need it most.

As proposed, S.B. 65 amends current law relating to state contracting and procurement.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 321, Government Code, by adding Section 321.024, as follows:

Sec. 321.024. MONITORING ASSESSMENT. (a) Requires the state auditor, prior to September 1st of each year, to consider available documentation collected by the Texas State Auditor's Office. Sets forth certain documentation to be collected.

(b) Requires the state auditor, using the acquired documentation, to assign certain ratings to the 25 largest state agencies by appropriation amount.

(c) Requires the comptroller of public accounts of the State of Texas to create guidelines for the Contract Advisory Committee or Quality Assurance Team for additional or reduced monitoring of procurements at:

(1) agencies that have been assigned a rating of Needs Additional monitoring for a specific stage of the procurement cycle; and

(2) agencies that have been assigned a reduced monitoring rating.

SECTION 2. Amends Section 2155, Government Code, as follows:

Sec. 2155.089. REPORTING VENDOR PERFORMANCE. (a) Requires each state agency, at major milestones, at least yearly, during the contract term, and after a contract is completed or otherwise terminated, to review the vendor's performance under the contract.

SECTION 3. Effective date: September 1, 2019.