

By: Birdwell, et al.

S.B. No. 646

A BILL TO BE ENTITLED

AN ACT

relating to approval for purchases of property or construction projects by a state agency with self-directed semi-independent status.

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

SECTION 1. Subchapter F, Chapter 2165, Government Code, is amended by adding Section 2165.261 to read as follows:

Sec. 2165.261. PROPERTY PURCHASES AND CONSTRUCTION PROJECTS BY SELF-DIRECTED SEMI-INDEPENDENT AGENCIES. (a) This section applies only to a state agency that has self-directed semi-independent status under state law.

(b) Notwithstanding Chapter 472 of this code, Chapter 16, Finance Code, Chapter 1105, Occupations Code, or any law other than this subsection, a state agency must obtain written authorization from the governor before allocating money for the purchase of real property or to construct a building on real property. This subsection does not limit the authority of the legislature under other law to authorize construction projects or the purchase of real property.

(c) To apply for authorization under this section, a state agency, in accordance with procedures prescribed by the governor, shall:

(1) submit to the Texas Facilities Commission:

(A) a detailed description of the proposed

1 property purchase or construction project and the agency's need for
2 the purchase or project; and

3 (B) a request for an analysis by the commission
4 of any available state property or building that satisfies the
5 agency's need; and

6 (2) submit to the governor:

7 (A) a request for written authorization for the
8 purchase or project that includes the detailed description
9 submitted under Subdivision (1)(A), the total amount of money
10 required to complete the purchase or project, and the agency's
11 justification for the purchase or project; and

12 (B) the analysis obtained from the commission
13 under Subdivision (1)(B).

14 (d) A state agency that receives written authorization
15 under Subsection (c) shall:

16 (1) collaborate with the Texas Facilities Commission
17 with respect to the purchase or project; and

18 (2) notify the commission and the General Land Office
19 on completion of the purchase or project.

20 (e) The governor may adopt rules necessary to implement this
21 section.

22 SECTION 2. (a) As soon as practicable after the effective
23 date of this Act, the governor shall prescribe the procedures and
24 may adopt any rules necessary to implement Section 2165.261,
25 Government Code, as added by this Act. The governor may adopt the
26 initial rules in the manner provided by law for emergency rules.

27 (b) Not later than January 1, 2020, and in accordance with

1 procedures prescribed by the governor, a state agency with
2 self-directed semi-independent status under state law that before
3 the effective date of this Act allocated money to purchase real
4 property or construct a building on real property and has not
5 completed the purchase or has not begun the construction, as
6 applicable:

7 (1) shall submit to the governor a detailed
8 description of the proposed purchase or project, including the
9 amount of money previously allocated by the agency for the purchase
10 or project, the amount of money required to complete the purchase or
11 project, and the agency's justification for the purchase or
12 project; and

13 (2) may not allocate additional money for the purchase
14 or project unless the agency receives written authorization for the
15 purchase or project from the governor in accordance with Section
16 2165.261, Government Code, as added by this Act, and any rules
17 adopted under that section.

18 SECTION 3. This Act takes effect September 1, 2019.