

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 7, 2019**

**TO:** Honorable Dade Phelan, Chair, House Committee on State Affairs

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB3674** by Capriglione (Relating to an opportunity to cure a bid, proposal, or offer that does not include a required historically underutilized business subcontracting plan.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend Chapter 2161 of the Government Code, regarding historically underutilized businesses.

Subsection 2161.252(b) requires that a bid, proposal, offer, or other expression of interest for certain state agency contracts include a historically underutilized business subcontracting plan. The bill would add Subsection 2161.252(c) requiring a state agency to notify a person who submits such a bid, proposal, offer, or other expression of interest without such a plan. The bill would allow the person, after notification, to submit a historically underutilized business subcontracting plan, in which case the bid, proposal, offer, or other expression of interest would be considered responsive under Subsection 2161.252(b).

The Facilities Commission and Comptroller of Public Accounts have indicated there would be no significant fiscal implication to the State.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

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

**LBB Staff:** WP, CMa, JPU, CW, LCO