

BILL ANALYSIS

Senate Research Center

S.B. 220
By: Zaffirini
Finance
5/25/2021
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Statewide Procurement Division (SPD) at the Comptroller of Public Accounts of the State of Texas (comptroller) is able to collect a rebate on Texas Multiple Award Schedule (TxMAS) contracts. These contracts build on existing contracts, such as those set up by the federal government, and affixes Texas terms and conditions to them. If a Texas agency uses federal funds to make a TxMAS purchase, statute requires SPD to ensure that the portion of that rebate that includes federal funds is reported to the purchasing agency as necessary.

A comptroller recommendation, S.B. 220 would codify the comptroller's current practice of providing agencies the rate at which the rebate is assessed for TxMAS contracts.

S.B. 220 amends current law relating to notice and reporting requirements for vendor rebates under a contract listed on a multiple award contract schedule.

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 2155.510, Government Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Requires the Comptroller of Public Accounts of the State of Texas (comptroller) to notify a state agency purchasing a good or service through a contract listed on a schedule developed under Subchapter I (Multiple Award Contract Schedule) of the percentage used to calculate the rebate authorized under Subsection (a) (relating to the collection of rebates from a vendor by the comptroller).

(c) Requires the purchasing state agency, rather than the comptroller, if a purchase resulting in a rebate under Section 2155.510 (Rebates) is made in whole or in part with federal funds, to ensure that, to the extent the purchase was made with federal funds, the appropriate portion of the rebate is reported to the appropriate federal funding agency. Makes a conforming change.

SECTION 2. Effective date: September 1, 2021.