

By: Kolkhorst

S.B. No. 1119

A BILL TO BE ENTITLED

AN ACT

relating to studies of buildings and facilities owned, leased, or otherwise occupied by this state.

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

SECTION 1. Chapter 2165, Government Code, is amended by adding Subchapter C-1 to read as follows:

SUBCHAPTER C-1. STUDY OF SPACE BY LEGISLATIVE BUDGET BOARD

Sec. 2165.121. DEFINITION. In this subchapter, "state agency" includes a legislative agency.

Sec. 2165.122. STUDY. Not later than September 1, 2024, and the September 1 occurring every six years after that date, the Legislative Budget Board shall study and report to the legislature:

(1) how much money the state is spending on leased space for state agencies;

(2) the possibilities of moving personnel out of leased space into existing state-owned space;

(3) any efficiencies or cost savings that may be achieved by consolidating personnel and resources into existing state-owned space;

(4) any efficiencies or cost savings that may be achieved by consolidating personnel and resources into existing leased space, if no state-owned space is available;

(5) the impact of any consolidation described by Subdivisions (3) and (4) on the state's insurable assets; and

1 (6) the potential benefits of maintaining a
2 comprehensive, regularly updated database of all buildings and
3 facilities owned, leased, or otherwise occupied by the state.

4 Sec. 2165.123. IDENTIFICATION OF CONSOLIDATION
5 OPPORTUNITIES. Based on a report required by Section 2165.122,
6 each state agency shall identify opportunities for the
7 consolidation of personnel and resources into space owned by this
8 state, or if state-owned space is not available, into space leased
9 by this state.

10 SECTION 2. (a) In this section, "institution of higher
11 education" has the meaning assigned by Section 61.003, Education
12 Code.

13 (b) The Legislative Budget Board shall conduct an interim
14 study on the buildings and facilities owned, leased, or otherwise
15 occupied by this state and develop a statewide strategy to ensure
16 that the buildings and facilities are adequately utilized. The
17 Legislative Budget Board may delegate any authority granted to the
18 board under this section that the board determines necessary to
19 conduct the interim study under this section.

20 (c) The Legislative Budget Board shall collect the
21 information required by this section from each state agency and
22 institution of higher education that has charge and control of a
23 building or facility and require each agency and institution to
24 submit the information to the board by a date prescribed by the
25 board. The board shall coordinate with the following entities to
26 collect the information:

27 (1) the comptroller of public accounts;

- 1 (2) the state auditor's office;
- 2 (3) the State Office of Risk Management;
- 3 (4) the General Land Office;
- 4 (5) the Texas Facilities Commission;
- 5 (6) the Texas Higher Education Coordinating Board; and
- 6 (7) any other state agency.

7 (d) For each building or facility owned, leased, or
8 otherwise occupied, solely or in part, by a state agency other than
9 an institution of higher education, the Legislative Budget Board or
10 a state agency designated by the board shall obtain the following
11 information:

- 12 (1) the name of the state agency that has charge and
13 control of the building or facility;
- 14 (2) whether the building or facility is owned or
15 leased, solely or in part, by the state agency, or if not owned or
16 leased, the arrangement under which the building or facility is
17 otherwise occupied;
- 18 (3) the name or number of the building or facility;
- 19 (4) the address and geographic coordinates of the
20 building or facility;
- 21 (5) the number of stories and the total square footage
22 of the building or facility;
- 23 (6) the amount of available square footage in the
24 building or facility for working personnel, the storage of
25 resources, or any other useable purpose identified by the agency;
- 26 (7) the amount of square footage used in the building
27 or facility for a purpose described by Subdivision (6) of this

1 subsection, expressed as a percent of the total square footage;

2 (8) if the building or facility changed occupants on
3 or after December 31, 2019:

4 (A) with respect to a new occupant:

5 (i) the location formerly occupied;

6 (ii) the amount of square footage used at
7 the formerly occupied location; and

8 (iii) the amount of square footage used at
9 the building or facility; and

10 (B) with respect to a former occupant:

11 (i) the location to which the former
12 occupant moved;

13 (ii) the amount of square footage formerly
14 used at the building or facility; and

15 (iii) the amount of square footage used at
16 the newly occupied location;

17 (9) a description of the continuity of government
18 operation plans to conduct business in alternate sites in the event
19 of a disaster or other emergency; and

20 (10) the average monthly utility expenses for the
21 building or facility during the previous 12 months.

22 (e) The Legislative Budget Board or a state agency
23 designated by the board shall collect the real property data of an
24 institution of higher education from the Texas Higher Education
25 Coordinating Board, as the data is reported to that board,
26 including, for each building or facility owned, leased, or
27 otherwise occupied by the institution:

1 (1) the name of the institution that has charge and
2 control of the building or facility, including the number assigned
3 to the institution by the Federal Interagency Committee on
4 Education;

5 (2) whether the building or facility is owned or
6 leased, solely or in part, by the institution, or if not owned or
7 leased, the arrangement under which the building or facility is
8 otherwise occupied;

9 (3) the name or number of the building or facility;

10 (4) the address and geographic coordinates of the
11 building or facility;

12 (5) the number of stories and the total square footage
13 of the building or facility;

14 (6) the amount of available square footage in the
15 building or facility for working personnel, the storage of
16 resources, or any other useable purpose identified by the
17 institution;

18 (7) the amount of square footage used in the building
19 or facility for a purpose described by Subdivision (6) of this
20 subsection, expressed as a percent of the total square footage;

21 (8) if the building or facility changed occupants on
22 or after December 31, 2019:

23 (A) with respect to a new occupant:

24 (i) the location formerly occupied;

25 (ii) the amount of square footage used at
26 the formerly occupied location; and

27 (iii) the amount of square footage used at

1 the building or facility; and

2 (B) with respect to a former occupant:

3 (i) the location to which the former
4 occupant moved;

5 (ii) the amount of square footage formerly
6 used at the building or facility; and

7 (iii) the amount of square footage used at
8 the newly occupied location;

9 (9) a description of the continuity of government
10 operation plans to conduct business in alternate sites in the event
11 of a disaster or other emergency; and

12 (10) the average monthly utility expenses for the
13 building or facility during the previous 12 months.

14 (f) On request by the Legislative Budget Board, the Texas
15 Facilities Commission shall provide clarifying information under
16 Subsections (d) and (e) of this section, including information on
17 buildings that house multiple state agencies and other related
18 matters. The Texas Facilities Commission shall provide the
19 information to the Legislative Budget Board by the date prescribed
20 by the board.

21 (g) On request by the Texas Facilities Commission or the
22 State Office of Risk Management, a state agency shall provide the
23 agency's telework policies to the entity requesting the
24 information. The Texas Facilities Commission and the State Office
25 of Risk Management shall coordinate to reduce duplication of
26 efforts.

27 (h) Not later than June 1, 2024, the Legislative Budget

1 Board or a state agency designated by the board shall consolidate
2 the information collected under Subsections (d), (e), and (f) of
3 this section and enter the information into a single database
4 accessible by a member of the legislature or the member's designee
5 or the executive head of a state agency or institution of higher
6 education or the executive head's designee.

7 (i) The Legislative Budget Board shall conduct the study
8 required by Subsection (b) of this section and report the board's
9 findings and recommendations to the legislature not later than
10 September 1, 2024. The report must include a statewide strategy
11 that will ensure all property owned, leased, or otherwise occupied
12 by the state is adequately utilized.

13 (j) The Legislative Budget Board, State Office of Risk
14 Management, and Texas Facilities Commission shall produce maps
15 identifying the locations of the buildings and facilities owned,
16 leased, or otherwise occupied by state agencies and institutions of
17 higher education across this state.

18 (k) The information collected and produced under this
19 section is excepted from disclosure under Sections [552.021](#) and
20 [552.156](#), Government Code, and Sections [412.0128](#) and [412.054](#), Labor
21 Code.

22 (l) The Legislative Budget Board may consolidate the study
23 and report required by this section with any report required of the
24 board by law regarding the allocation and use of space by state
25 agencies.

26 (m) Based on the report required by this section, each
27 state agency shall identify opportunities for the consolidation of

1 personnel and resources into space owned by this state, or if
2 state-owned space is not available, into space leased by this
3 state.

4 (n) This section expires September 1, 2025.

5 SECTION 3. Based on information collected and published by
6 the Legislative Budget Board as described by this Act or any
7 findings or recommendations by an entity conducting a study under
8 this Act, each state agency shall identify opportunities for the
9 consolidation of personnel and resources into space owned by this
10 state, or if state-owned space is not available, into space leased
11 by this state.

12 SECTION 4. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2023.