

1-1 By: Kolkhorst S.B. No. 1119
 1-2 (In the Senate - Filed February 22, 2023; March 9, 2023,
 1-3 read first time and referred to Committee on Business & Commerce;
 1-4 April 12, 2023, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 11, Nays 0; April 12, 2023,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 1119 By: King

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to studies of buildings and facilities owned, leased, or
 1-24 otherwise occupied by this state.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Chapter 2165, Government Code, is amended by
 1-27 adding Subchapter C-1 to read as follows:

1-28 SUBCHAPTER C-1. STUDY OF SPACE BY LEGISLATIVE BUDGET BOARD

1-29 Sec. 2165.121. DEFINITION. In this subchapter, "state
 1-30 agency" includes a legislative agency.

1-31 Sec. 2165.122. STUDY. Not later than September 1, 2024, and
 1-32 the September 1 occurring every six years after that date, the
 1-33 Legislative Budget Board shall study and report to the legislature:

1-34 (1) how much money the state is spending on leased
 1-35 space for state agencies;

1-36 (2) the possibilities of moving personnel out of
 1-37 leased space into existing state-owned space;

1-38 (3) any efficiencies or cost savings that may be
 1-39 achieved by consolidating personnel and resources into existing
 1-40 state-owned space;

1-41 (4) any efficiencies or cost savings that may be
 1-42 achieved by consolidating personnel and resources into existing
 1-43 leased space, if no state-owned space is available;

1-44 (5) the impact of any consolidation described by
 1-45 Subdivisions (3) and (4) on the state's insurable assets; and

1-46 (6) the potential benefits of maintaining a
 1-47 comprehensive, regularly updated database of all buildings and
 1-48 facilities owned, leased, or otherwise occupied by the state.

1-49 Sec. 2165.123. IDENTIFICATION OF CONSOLIDATION
 1-50 OPPORTUNITIES. Based on a report required by Section 2165.122, each
 1-51 state agency shall identify opportunities for the consolidation of
 1-52 personnel and resources into space owned by this state, or if
 1-53 state-owned space is not available, into space leased by this
 1-54 state.

1-55 SECTION 2. (a) In this section, "institution of higher
 1-56 education" has the meaning assigned by Section 61.003, Education
 1-57 Code.

1-58 (b) The Legislative Budget Board shall conduct an interim
 1-59 study on the buildings and facilities owned, leased, or otherwise
 1-60 occupied by this state and develop a statewide strategy to ensure

2-1 that the buildings and facilities are adequately utilized. The
2-2 Legislative Budget Board may delegate any authority granted to the
2-3 board under this section that the board determines necessary to
2-4 conduct the interim study under this section.

2-5 (c) The Legislative Budget Board shall collect the
2-6 information required by this section from each state agency and
2-7 institution of higher education that has charge and control of a
2-8 building or facility and require each agency and institution to
2-9 submit the information to the board by a date prescribed by the
2-10 board. The board shall coordinate with the following entities to
2-11 collect the information:

- 2-12 (1) the comptroller of public accounts;
- 2-13 (2) the state auditor's office;
- 2-14 (3) the State Office of Risk Management;
- 2-15 (4) the General Land Office;
- 2-16 (5) the Texas Facilities Commission;
- 2-17 (6) the Texas Higher Education Coordinating Board; and
- 2-18 (7) any other state agency.

2-19 (d) For each building or facility owned, leased, or
2-20 otherwise occupied, solely or in part, by a state agency other than
2-21 an institution of higher education, the Legislative Budget Board or
2-22 a state agency designated by the board shall obtain the following
2-23 information:

- 2-24 (1) the name of the state agency that has charge and
2-25 control of the building or facility;
- 2-26 (2) whether the building or facility is owned or
2-27 leased, solely or in part, by the state agency, or if not owned or
2-28 leased, the arrangement under which the building or facility is
2-29 otherwise occupied;
- 2-30 (3) the name or number of the building or facility;
- 2-31 (4) the address and geographic coordinates of the
2-32 building or facility;
- 2-33 (5) the number of stories and the total square footage
2-34 of the building or facility;
- 2-35 (6) the amount of available square footage in the
2-36 building or facility for working personnel, the storage of
2-37 resources, or any other useable purpose identified by the agency;
- 2-38 (7) the amount of square footage used in the building
2-39 or facility for a purpose described by Subdivision (6) of this
2-40 subsection, expressed as a percent of the total square footage;
- 2-41 (8) if the building or facility changed occupants on
2-42 or after December 31, 2019:
 - 2-43 (A) with respect to a new occupant:
 - 2-44 (i) the location formerly occupied;
 - 2-45 (ii) the amount of square footage used at
2-46 the formerly occupied location; and
 - 2-47 (iii) the amount of square footage used at
2-48 the building or facility; and
 - 2-49 (B) with respect to a former occupant:
 - 2-50 (i) the location to which the former
2-51 occupant moved;
 - 2-52 (ii) the amount of square footage formerly
2-53 used at the building or facility; and
 - 2-54 (iii) the amount of square footage used at
2-55 the newly occupied location;
 - 2-56 (9) a description of the continuity of government
2-57 operation plans to conduct business in alternate sites in the event
2-58 of a disaster or other emergency; and
 - 2-59 (10) the average monthly utility expenses for the
2-60 building or facility during the previous 12 months.

2-61 (e) The Legislative Budget Board or a state agency
2-62 designated by the board shall collect the real property data of an
2-63 institution of higher education from the Texas Higher Education
2-64 Coordinating Board, as the data is reported to that board,
2-65 including, for each building or facility owned, leased, or
2-66 otherwise occupied by the institution:

- 2-67 (1) the name of the institution that has charge and
2-68 control of the building or facility, including the number assigned
2-69 to the institution by the Federal Interagency Committee on

3-1 Education;

3-2 (2) whether the building or facility is owned or
3-3 leased, solely or in part, by the institution, or if not owned or
3-4 leased, the arrangement under which the building or facility is
3-5 otherwise occupied;

3-6 (3) the name or number of the building or facility;

3-7 (4) the address and geographic coordinates of the
3-8 building or facility;

3-9 (5) the number of stories and the total square footage
3-10 of the building or facility;

3-11 (6) the amount of available square footage in the
3-12 building or facility for working personnel, the storage of
3-13 resources, or any other useable purpose identified by the
3-14 institution;

3-15 (7) the amount of square footage used in the building
3-16 or facility for a purpose described by Subdivision (6) of this
3-17 subsection, expressed as a percent of the total square footage;

3-18 (8) if the building or facility changed occupants on
3-19 or after December 31, 2019:

3-20 (A) with respect to a new occupant:

3-21 (i) the location formerly occupied;

3-22 (ii) the amount of square footage used at
3-23 the formerly occupied location; and

3-24 (iii) the amount of square footage used at
3-25 the building or facility; and

3-26 (B) with respect to a former occupant:

3-27 (i) the location to which the former
3-28 occupant moved;

3-29 (ii) the amount of square footage formerly
3-30 used at the building or facility; and

3-31 (iii) the amount of square footage used at
3-32 the newly occupied location;

3-33 (9) a description of the continuity of government
3-34 operation plans to conduct business in alternate sites in the event
3-35 of a disaster or other emergency; and

3-36 (10) the average monthly utility expenses for the
3-37 building or facility during the previous 12 months.

3-38 (f) On request by the Legislative Budget Board, the Texas
3-39 Facilities Commission shall provide clarifying information under
3-40 Subsections (d) and (e) of this section, including information on
3-41 buildings that house multiple state agencies and other related
3-42 matters. The Texas Facilities Commission shall provide the
3-43 information to the Legislative Budget Board by the date prescribed
3-44 by the board.

3-45 (g) On request by the Texas Facilities Commission or the
3-46 State Office of Risk Management, a state agency shall provide the
3-47 agency's telework policies to the entity requesting the
3-48 information. The Texas Facilities Commission and the State Office
3-49 of Risk Management shall coordinate to reduce duplication of
3-50 efforts.

3-51 (h) Not later than June 1, 2024, the Legislative Budget
3-52 Board or a state agency designated by the board shall consolidate
3-53 the information collected under Subsections (d), (e), and (f) of
3-54 this section and enter the information into a single database
3-55 accessible by a member of the legislature or the member's designee
3-56 or the executive head of a state agency or institution of higher
3-57 education or the executive head's designee.

3-58 (i) The Legislative Budget Board shall conduct the study
3-59 required by Subsection (b) of this section and report the board's
3-60 findings and recommendations to the legislature not later than
3-61 September 1, 2024. The report must include a statewide strategy
3-62 that will ensure all property owned, leased, or otherwise occupied
3-63 by the state is adequately utilized.

3-64 (j) The Legislative Budget Board, State Office of Risk
3-65 Management, and Texas Facilities Commission shall produce maps
3-66 identifying the locations of the buildings and facilities owned,
3-67 leased, or otherwise occupied by state agencies and institutions of
3-68 higher education across this state.

3-69 (k) The information collected and produced under this

4-1 section is excepted from disclosure under Sections 552.021 and
4-2 552.156, Government Code, and Sections 412.0128 and 412.054, Labor
4-3 Code.

4-4 (l) The Legislative Budget Board may consolidate the study
4-5 and report required by this section with any report required of the
4-6 board by law regarding the allocation and use of space by state
4-7 agencies.

4-8 (m) Based on the report required by this section, each
4-9 state agency shall identify opportunities for the consolidation of
4-10 personnel and resources into space owned by this state, or if
4-11 state-owned space is not available, into space leased by this
4-12 state.

4-13 (n) This section expires September 1, 2025.

4-14 SECTION 3. Based on information collected and published by
4-15 the Legislative Budget Board as described by this Act or any
4-16 findings or recommendations by an entity conducting a study under
4-17 this Act, each state agency shall identify opportunities for the
4-18 consolidation of personnel and resources into space owned by this
4-19 state, or if state-owned space is not available, into space leased
4-20 by this state.

4-21 SECTION 4. This Act takes effect immediately if it receives
4-22 a vote of two-thirds of all the members elected to each house, as
4-23 provided by Section 39, Article III, Texas Constitution. If this
4-24 Act does not receive the vote necessary for immediate effect, this
4-25 Act takes effect September 1, 2023.

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