

BILL ANALYSIS

Senate Research Center
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H.B. 2791
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Economic Development
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law does not clearly authorize the Texas Workforce Commission (TWC) to procure the goods and services necessary to operate its vocational rehabilitation programs. This gap creates uncertainty in how TWC engages vendors, applies procurement standards, and ensures uninterrupted support for persons with disabilities. H.B. 2791 would authorize TWC to acquire vocational rehabilitation goods and services using any procurement method that delivers best value, require the agency to document relevant value-based factors, and allow for open-enrollment contracting or direct negotiation if no bids are received. These changes would improve procurement flexibility, reduce service disruptions, and strengthen TWC's ability to deliver timely, efficient support statewide.

H.B. 2791 amends current law relating to powers and duties of the Texas Workforce Commission with respect to the procurement of goods and services for the provision of vocational rehabilitation services.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Workforce Commission in SECTION 1 (Section 352.060, Labor Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 352, Labor Code, by adding Section 352.060, as follows:

Sec. 352.060. PROCUREMENT OF GOODS AND SERVICES. (a) Authorizes the Texas Workforce Commission (TWC) to enter into contracts for goods or services related to TWC's provision of vocational rehabilitation services as necessary to perform any of TWC's powers or duties under Chapter 352 (Vocational Rehabilitation Services).

(b) Authorizes TWC to acquire goods and services described by Subsection (a) by any procurement method approved by TWC that provides the best value to TWC. Requires TWC to document that TWC considered all relevant factors under Subsection (c) in making the acquisition.

(c) Requires TWC to consider all relevant factors in determining the best value, including certain factors.

(d) Authorizes TWC to adopt rules and procedures for the acquisition of goods and services under this section, including rules allowing TWC to purchase vocational rehabilitation services through an open-enrollment contracting method if TWC determines that the best interests of the state are served by enrolling multiple vendors.

(e) Authorizes TWC, if TWC does not receive any responsive bids on an open market solicitation for goods or services for the vocational rehabilitation program in a specific area of the state, after making a written determination that an open market award is not available, to negotiate with and award the contract to any

qualified vendor who meets the requirements of the original solicitation at a price consistent with the current market value of the goods or services and for a term not to exceed five years.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2025.