

By: Birdwell, Buckingham, Hall

S.B. No. 646

A BILL TO BE ENTITLED

AN ACT

relating to approval for purchases of property or construction projects by a state agency with self-directed semi-independent status.

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

SECTION 1. Subchapter F, Chapter 2165, Government Code, is amended by adding Section 2165.261 to read as follows:

Sec. 2165.261. PROPERTY PURCHASES AND CONSTRUCTION PROJECTS BY SELF-DIRECTED SEMI-INDEPENDENT AGENCIES. (a) This section applies only to a state agency that has self-directed semi-independent status under state law.

(b) Notwithstanding Chapter 472 of this code, Chapter 16, Finance Code, Chapter 1105, Occupations Code, or any other law, a state agency must obtain written authorization from the governor before allocating money for the purchase of real property or to construct a building on real property.

(c) To apply for authorization under this section, a state agency, in accordance with procedures prescribed by the governor, shall:

(1) submit to the Texas Facilities Commission:

(A) a detailed description of the proposed property purchase or construction project and the agency's need for the purchase or project; and

(B) a request for an analysis by the commission

1 of any available state property or building that satisfies the
2 agency's need; and

3 (2) submit to the governor:

4 (A) a request for written authorization for the
5 purchase or project that includes the detailed description
6 submitted under Subdivision (1)(A), the total amount of money
7 required to complete the purchase or project, and the agency's
8 justification for the purchase or project; and

9 (B) the analysis obtained from the commission
10 under Subdivision (1)(B).

11 (d) A state agency that receives written authorization
12 under Subsection (c) shall:

13 (1) collaborate with the Texas Facilities Commission
14 with respect to the purchase or project; and

15 (2) notify the commission and the General Land Office
16 on completion of the purchase or project.

17 (e) The governor may adopt rules necessary to implement this
18 section.

19 SECTION 2. (a) As soon as practicable after the effective
20 date of this Act, the governor shall prescribe the procedures and
21 may adopt any rules necessary to implement Section 2165.261,
22 Government Code, as added by this Act. The governor may adopt the
23 initial rules in the manner provided by law for emergency rules.

24 (b) Not later than January 1, 2020, and in accordance with
25 procedures prescribed by the governor, a state agency with
26 self-directed semi-independent status under state law that before
27 the effective date of this Act allocated money to purchase real

1 property or construct a building on real property and has not
2 completed the purchase or has not begun the construction, as
3 applicable:

4 (1) shall submit to the governor a detailed
5 description of the proposed purchase or project, including the
6 amount of money previously allocated by the agency for the purchase
7 or project, the amount of money required to complete the purchase or
8 project, and the agency's justification for the purchase or
9 project; and

10 (2) may not allocate additional money for the purchase
11 or project unless the agency receives written authorization for the
12 purchase or project from the governor in accordance with Section
13 2165.261, Government Code, as added by this Act, and any rules
14 adopted under that section.

15 SECTION 3. This Act takes effect September 1, 2019.