

1-1 By: Birdwell, et al. S.B. No. 646  
 1-2 (In the Senate - Filed February 5, 2019; March 1, 2019, read  
 1-3 first time and referred to Committee on Business & Commerce;  
 1-4 March 26, 2019, reported favorably by the following vote: Yeas 8,  
 1-5 Nays 0; March 26, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
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 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to approval for purchases of property or construction  
 1-20 projects by a state agency with self-directed semi-independent  
 1-21 status.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter F, Chapter 2165, Government Code, is  
 1-24 amended by adding Section 2165.261 to read as follows:

1-25 Sec. 2165.261. PROPERTY PURCHASES AND CONSTRUCTION  
 1-26 PROJECTS BY SELF-DIRECTED SEMI-INDEPENDENT AGENCIES. (a) This  
 1-27 section applies only to a state agency that has self-directed  
 1-28 semi-independent status under state law.

1-29 (b) Notwithstanding Chapter 472 of this code, Chapter 16,  
 1-30 Finance Code, Chapter 1105, Occupations Code, or any other law, a  
 1-31 state agency must obtain written authorization from the governor  
 1-32 before allocating money for the purchase of real property or to  
 1-33 construct a building on real property.

1-34 (c) To apply for authorization under this section, a state  
 1-35 agency, in accordance with procedures prescribed by the governor,  
 1-36 shall:

1-37 (1) submit to the Texas Facilities Commission:

1-38 (A) a detailed description of the proposed  
 1-39 property purchase or construction project and the agency's need for  
 1-40 the purchase or project; and

1-41 (B) a request for an analysis by the commission  
 1-42 of any available state property or building that satisfies the  
 1-43 agency's need; and

1-44 (2) submit to the governor:

1-45 (A) a request for written authorization for the  
 1-46 purchase or project that includes the detailed description  
 1-47 submitted under Subdivision (1)(A), the total amount of money  
 1-48 required to complete the purchase or project, and the agency's  
 1-49 justification for the purchase or project; and

1-50 (B) the analysis obtained from the commission  
 1-51 under Subdivision (1)(B).

1-52 (d) A state agency that receives written authorization  
 1-53 under Subsection (c) shall:

1-54 (1) collaborate with the Texas Facilities Commission  
 1-55 with respect to the purchase or project; and

1-56 (2) notify the commission and the General Land Office  
 1-57 on completion of the purchase or project.

1-58 (e) The governor may adopt rules necessary to implement this  
 1-59 section.

1-60 SECTION 2. (a) As soon as practicable after the effective  
 1-61 date of this Act, the governor shall prescribe the procedures and

2-1 may adopt any rules necessary to implement Section 2165.261,  
2-2 Government Code, as added by this Act. The governor may adopt the  
2-3 initial rules in the manner provided by law for emergency rules.

2-4 (b) Not later than January 1, 2020, and in accordance with  
2-5 procedures prescribed by the governor, a state agency with  
2-6 self-directed semi-independent status under state law that before  
2-7 the effective date of this Act allocated money to purchase real  
2-8 property or construct a building on real property and has not  
2-9 completed the purchase or has not begun the construction, as  
2-10 applicable:

2-11 (1) shall submit to the governor a detailed  
2-12 description of the proposed purchase or project, including the  
2-13 amount of money previously allocated by the agency for the purchase  
2-14 or project, the amount of money required to complete the purchase or  
2-15 project, and the agency's justification for the purchase or  
2-16 project; and

2-17 (2) may not allocate additional money for the purchase  
2-18 or project unless the agency receives written authorization for the  
2-19 purchase or project from the governor in accordance with Section  
2-20 2165.261, Government Code, as added by this Act, and any rules  
2-21 adopted under that section.

2-22 SECTION 3. This Act takes effect September 1, 2019.

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