

1-1 By: Powell S.B. No. 338
 1-2 (In the Senate - Filed January 13, 2021; March 9, 2021, read
 1-3 first time and referred to Committee on Education; March 29, 2021,
 1-4 reported favorably by the following vote: Yeas 11, Nays 0;
 1-5 March 29, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Hall	X			
1-11 Hughes	X			
1-12 Menéndez	X			
1-13 Paxton	X			
1-14 Perry	X			
1-15 Powell	X			
1-16 Schwertner	X			
1-17 West	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the adoption of uniform general conditions for building
 1-22 construction contracts entered into by school districts and the
 1-23 composition of the committee that reviews uniform general
 1-24 conditions.

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

1-26 SECTION 1. Subchapter B, Chapter 44, Education Code, is
 1-27 amended by adding Section 44.035 to read as follows:

1-28 Sec. 44.035. ADOPTION OF UNIFORM GENERAL CONDITIONS FOR
 1-29 SCHOOL DISTRICT BUILDING CONSTRUCTION CONTRACTS. After reviewing
 1-30 the uniform general conditions adopted by the Texas Facilities
 1-31 Commission under Section 2166.302, Government Code, a school
 1-32 district may adopt uniform general conditions to be incorporated in
 1-33 all district building construction contracts.

1-34 SECTION 2. Section 2166.305(b), Government Code, is amended
 1-35 to read as follows:

1-36 (b) A committee appointed by the commission shall perform
 1-37 the review. The committee consists of:

1-38 (1) the director of facilities construction and space
 1-39 management appointed under Section 2152.104, who serves as the
 1-40 presiding officer of the committee;

1-41 (2) six individuals appointed by the commission, one
 1-42 each from the lists of nominees submitted respectively by the:

1-43 (A) president of the Texas Society of Architects;

1-44 (B) president of the Texas Society of
 1-45 Professional Engineers;

1-46 (C) presiding officer of the Executive Council of
 1-47 the Texas Associated General Contractors Chapters;

1-48 (D) executive secretary of the Mechanical
 1-49 Contractors Associations of Texas, Incorporated;

1-50 (E) executive secretary of the Texas Building and
 1-51 Construction Trades Council; and

1-52 (F) president of the Associated Builders and
 1-53 Contractors of Texas;

1-54 (3) one individual appointed by the commission
 1-55 representing an institution of higher education, as defined by
 1-56 Section 61.003, Education Code;

1-57 (4) one individual appointed by the commission
 1-58 representing a state agency that has a substantial ongoing
 1-59 construction program;

1-60 (5) one individual appointed by the commission
 1-61 representing the attorney general's office;

2-1 (6) one individual appointed by the commission
2-2 representing the interests of historically underutilized
2-3 businesses; ~~and~~

2-4 (7) two individuals appointed by the commission, each
2-5 representing a different minority contractors association;

2-6 (8) one individual appointed by the commission
2-7 representing the Texas Association of School Boards; and

2-8 (9) one individual appointed by the commission
2-9 representing the Texas Association of School Administrators.

2-10 SECTION 3. Not later than December 1, 2021, the Texas
2-11 Facilities Commission shall appoint two additional members to the
2-12 committee in accordance with Section 2166.305(b), Government Code,
2-13 as amended by this Act.

2-14 SECTION 4. This Act takes effect immediately if it receives
2-15 a vote of two-thirds of all the members elected to each house, as
2-16 provided by Section 39, Article III, Texas Constitution. If this
2-17 Act does not receive the vote necessary for immediate effect, this
2-18 Act takes effect September 1, 2021.

2-19 * * * * *