

1-1 By: Button, et al. (Senate Sponsor - Zaffirini) H.B. No. 2791  
1-2 (In the Senate - Received from the House April 29, 2025;  
1-3 May 1, 2025, read first time and referred to Committee on Economic  
1-4 Development; May 14, 2025, reported favorably by the following  
1-5 vote: Yeas 5, Nays 0; May 14, 2025, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			

1-13 A BILL TO BE ENTITLED  
1-14 AN ACT

1-15 relating to powers and duties of the Texas Workforce Commission  
1-16 with respect to the procurement of goods and services for the  
1-17 provision of vocational rehabilitation services.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Subchapter B, Chapter 352, Labor Code, is  
1-20 amended by adding Section 352.060 to read as follows:

1-21 Sec. 352.060. PROCUREMENT OF GOODS AND SERVICES. (a) The  
1-22 commission may enter into contracts for goods or services related  
1-23 to the commission's provision of vocational rehabilitation  
1-24 services as necessary to perform any of the commission's powers or  
1-25 duties under this chapter.

1-26 (b) The commission may acquire goods and services described  
1-27 by Subsection (a) by any procurement method approved by the  
1-28 commission that provides the best value to the commission. The  
1-29 commission shall document that the commission considered all  
1-30 relevant factors under Subsection (c) in making the acquisition.

1-31 (c) The commission shall consider all relevant factors in  
1-32 determining the best value, including:

1-33 (1) any installation costs;

1-34 (2) the delivery terms;

1-35 (3) the quality and reliability of the vendor's goods  
1-36 or services;

1-37 (4) the extent to which the goods or services meet the  
1-38 needs of the individuals receiving vocational rehabilitation  
1-39 services from the commission under this chapter;

1-40 (5) indicators of probable value vendor performance  
1-41 under the contract such as past vendor performance, the vendor's  
1-42 financial resources and ability to perform, the vendor's experience  
1-43 and responsibility, and the vendor's ability to provide reliable  
1-44 maintenance agreements;

1-45 (6) the impact on the ability of the commission to  
1-46 comply with laws and rules relating to historically underutilized  
1-47 businesses or relating to the procurement of goods and services  
1-48 from persons with disabilities;

1-49 (7) the total long-term cost to the commission of  
1-50 acquiring the vendor's goods or services;

1-51 (8) the cost of any employee training associated with  
1-52 the acquisition;

1-53 (9) the effect of an acquisition on commission  
1-54 productivity;

1-55 (10) the acquisition price; and

1-56 (11) any other factor relevant to determining the best  
1-57 value for the commission in the context of a particular  
1-58 acquisition.

1-59 (d) The commission may adopt rules and procedures for the  
1-60 acquisition of goods and services under this section, including  
1-61 rules allowing the commission to purchase vocational

rehabilitation services through an open-enrollment contracting method if the commission determines that the best interests of the state are served by enrolling multiple vendors.

(e) If the commission 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, the commission, after making a written determination that an open market award is not available, may negotiate with and award the contract to any qualified vendor who meets the requirements of the original solicitation:

(1) at a price consistent with the current market value of the goods or services; and

(2) for a term not to exceed five years.

SECTION 2. The change in law made by this Act applies only to the acquisition of goods or services made on or after the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

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