

BILL ANALYSIS

S.B. 706
By: Birdwell
Government Transparency & Operation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the State Council on Competitive Government has outlived its usefulness in the state procurement process and that its continued existence represents unnecessary state bureaucracy. SB 706 seeks to abolish the council.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SB 706 abolishes the State Council on Competitive Government and repeals Government Code provisions relating to the establishment and administration of the council. The bill establishes that the validity of an action taken by or in connection with the authority of the council before the date the agency is abolished is not affected by the abolishment. The bill transfers all powers and duties of the council to the comptroller of public accounts; establishes that a rule, form, policy, procedure, or decision of the council continues in effect as a rule, form, policy, procedure, or decision of the comptroller until superseded by an act of the comptroller; establishes that a reference in law to the State Council on Competitive Government means the comptroller; transfers without change in status any action or proceeding before the council to the comptroller and establishes that the comptroller assumes, without a change in status, the position of the council in any action or proceeding to which the council is a party; transfers all money, contracts, leases, rights, bonds, and obligations of the council to the comptroller; establishes that all personal property, including records, in the council's custody becomes the comptroller's property; and transfers all funds appropriated by the legislature to the council to the comptroller.

SB 706 amends the Government Code to make the Department of Information Resources responsible for certain powers and duties previously invested in the council under statutory provisions relating to the electronic benefits enrollment and administration system.

SB 706 amends the Human Resources Code to clarify that the Health and Human Services Commission (HHSC) is solely responsible for awarding a contract under the vendor drug program operated under Medicaid. The bill authorizes HHSC to consult with the comptroller in administering statutory provisions relating to the vendor drug program and related competitive bidding requirements.

SB 706 amends the Parks and Wildlife Code and the Transportation Code to make conforming changes.

SB 706 repeals Family Code provisions governing competitive bidding for child support collection services.

SB 706 repeals the following provisions:

- Section 161.037(b), Agriculture Code
- Chapter 236, Family Code
- Section 662.0071(c), Government Code
- Section 670.003, Government Code
- Chapter 2162, Government Code
- Section 2163.001(d), Government Code
- Section 11.153(b), Parks and Wildlife Code

EFFECTIVE DATE

September 1, 2017.