

SUBJECT: Accepting of certain donated building projects by TPWD

COMMITTEE: Culture, Recreation and Tourism — favorable, without amendment

VOTE: 7 ayes — Homer, D. Howard, T. King, Kleinschmidt, Kuempel, McCall, Phillips
0 nays
2 absent — Dukes, Thibaut

WITNESSES: For — None
Against — None
On — Kevin Good, Texas Parks and Wildlife

BACKGROUND: Public entities, such as state agencies, must conform to public purchasing and contracting laws laid out in Government Code, Title 10, and with other statutes and regulations. Parks and Wildlife Code, ch. 11 provides limited direction on how the Texas Parks and Wildlife Department may accept a donation of a building. Currently, donors go through a competitive bidding and approval process, which can increase the cost of the building project and may deter donations.

DIGEST: HB 3864 would amend the Parks and Wildlife Code, ch. 11 to allow the Texas Parks and Wildlife Department to accept a donation of a turnkey building project on state land, provided the department approved the plans and engineering in advance and had supervision over the project. These projects would not be subject to competitive bidding. The Parks and Wildlife Commission could adopt rules to implement these provisions.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.