

# Streamlining purchasing and contracting by governmental entities

SB 1793 by Zaffirini (Longoria)

## Digest

SB 1793 would have exempted certain state agency attorneys from a Government Code requirement to sign a nepotism disclosure to participate in the development, award, or management of a contract in excess of \$25,000. The bill also would have allowed an officer or employee of a governmental entity or a local workforce development board to participate in the comptroller's contract for travel services.

## Governor's reason for veto

"Senate Bill 1793 would have given government lawyers a pass on filling out a nepotism disclosure form prescribed by the State Auditor's Office. For procurement contracts worth at least \$1 million, this form compels agency employees to disclose relationships with, and direct or indirect pecuniary interests in, any party to the proposed contract with the state agency. Uncovering such ties to a potential vendor is important even if the procurement employee happens to be a member in good standing of the Texas Bar. Government lawyers should fill out the same nepotism disclosure form as everyone else at the agency."

## Response

**Sen. Judith Zaffirini**, the bill's author, said: "SB 1793 was recommended by the Comptroller of Public Accounts (CPA) to improve the efficiency of statewide procurement programs and to eliminate the duplication of nepotism disclosures already required for attorneys pursuant to the Texas Disciplinary Rules of Professional Conduct. It would not obscure ties to potential vendors, but rather allow agencies to spend more time on the true risks in contracting, including negotiating liability terms, data access, and ownership, and ensuring proper specification drafting and proposal evaluations. These tasks are not only extremely detailed and time-intensive, but also are

coupled with hundreds of smaller requirements such as the nepotism disclosure.

"The procurement process suffers from a heavy regulatory burden that does not facilitate obtaining best values and requires enormous amounts of agency time to 'check the boxes.' Contracting personnel must file multiple similar disclosures throughout the development and management of a contract, and these disclosure forms are signed numerous times by the same attorneys for hundreds of contracts at the same agency. Accordingly, we look forward to working with the CPA this interim to improve and strengthen our proposals to ensure transparency and efficiency in procurement."

**Rep. Oscar Longoria**, the House sponsor, could not be reached for comment on the veto.

## Notes

[HB 3852](#), the House companion to SB 1793, was digested in Part One of the April 30 *Daily Floor Report*.