

**PRELIMINARY** STAFF MEASURE SUMMARY

CARRIER:

House Committee on Consumer Protection and Government Effectiveness

**REVENUE:** No revenue impact

**FISCAL:** May have fiscal impact, statement not yet issued

**SUBSEQUENT REFERRAL TO:** None

**Action:**

**Vote:**

**Yeas:**

**Nays:**

**Exc.:**

**Prepared By:** Wendy Simons, Administrator

**Meeting Dates:**

**WHAT THE MEASURE DOES:** Establishes Task Force on Accountability in Public Contracting. Directs Task Force to investigate and evaluate measures for improving accountability in public contracting and lowering risks to state. Sunsets December 31, 2016. Declares emergency, effective upon passage.

**ISSUES DISCUSSED:**

**EFFECT OF COMMITTEE AMENDMENT:**

Proposed -3 amendment: Requires state contracting agency to use solicitation template in advertising and soliciting procurements under Public Contracting Code, and to use contract form or template as basis for all public contracts. Allows contracting agency to base public contract on terms other than those in contract form or template only if agency receives approval from the Attorney General or the Department of Administrative Services (DAS), the nature of the procurement is unique, and agency consults the Attorney General to develop appropriate contract terms. Requires person conducting procurement for state agency to complete training or have professional experience in all aspects of public procurements. Requires DAS to establish requirements for training or experience person must have to conduct procurement or administer a public contract, and to set date after which all persons conducting procurements or administering public contracts must meet requirements. Requires DAS to develop recommendations for promoting best practices in public contracting, and to include recommendations in report to Legislative Assembly by November 30, 2015. Becomes operative January 1, 2016. Declares emergency, effective upon passage.

**BACKGROUND:** House Bill 2375 as introduced establishes a Task Force on Accountability in Public Contracting, with members appointed by the President of the Senate, the Speaker of the House, the Attorney General, the director of DAS, the Director of Transportation, the Secretary of State, and the Legislative Fiscal Office.