

## CHAPTER 494

## S.B. No. 612

An Act relating to limitations on the authority of the State Purchasing and General Services Commission to acquire certain materials and services for libraries operated by university systems or institutions of higher education; amending Section 3.01, State Purchasing and General Services Act, as amended (Article 601b, Vernon's Texas Civil Statutes).

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Section 3.01, State Purchasing and General Services Act, as amended (Article 601b, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 3.01. **ESTABLISHMENT OF PURCHASING SYSTEM.** (a) The commission shall purchase, lease, rent, or otherwise acquire all supplies, materials, services, and equipment for all state agencies, except for *the following materials and services acquired [serial and journal subscriptions]* for libraries operated as a part of university systems or institutions of higher education:

"(1) *serial and journal subscriptions;*

"(2) *rare library materials, including books and papers; and*

"(3) *other library materials, including books, papers, and copyrighted materials, and library services that are available from only one supplier or only from a person holding exclusive distribution rights to the materials or services.*

"(b) *The commission [; and] shall institute and maintain an effective and economical system for purchasing [all such] supplies, materials, services, and equipment.*

"(c) [(b)] 'Services,' as used in this article, means the furnishing of skilled or unskilled labor or professional work but does not include:

"(1) professional services covered by the Professional Services Procurement Act (Article 664-4, Vernon's Texas Civil Statutes);

"(2) services of an employee of a state agency;

"(3) consulting services or services of a private consultant as defined by Chapter 454, Acts of the 65th Legislature, Regular Session, 1977 (Article 6252-11c, Vernon's Texas Civil Statutes); or

"(4) services of public utilities."

**SECTION 2.** This Act takes effect September 1, 1985.

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional

rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on April 4, 1985, by the following vote: Yeas 31, Nays 0; passed the House on May 17, 1985, by the following vote: Yeas 134, Nays 0, one present not voting.

Approved: June 12, 1985

Effective: September 1, 1985