

By: Romero, Jr.

H.B. No. 1196

A BILL TO BE ENTITLED

AN ACT

relating to certain contracts regarding airports operated by or on behalf of a local government.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 22.019, Transportation Code, is amended to read as follows:

Sec. 22.019. CONTRACTS. Except as provided by Section 22.0191, a [A] local government may enter into a contract necessary to the execution of a power granted the local government and for a purpose provided by this chapter.

SECTION 2. Subchapter B, Chapter 22, Transportation Code, is amended by adding Section 22.0191 to read as follows:

Sec. 22.0191. CERTAIN AIRPORT INFRASTRUCTURE OR EQUIPMENT CONTRACTS. (a) This section applies only to an airport infrastructure or equipment contract for the procurement of a passenger boarding bridge at an airport.

(b) A local government or a person operating an airport on behalf of a local government may not enter into an airport infrastructure or equipment contract with:

(1) an entity that:

(A) a federal court determines has misappropriated intellectual property or trade secrets from another entity organized under the laws of:

(i) the United States;

1 (ii) this state or another state; or
2 (iii) a political subdivision of this state
3 or another state; and

4 (B) is owned wholly or partly by, is controlled
5 by, or receives subsidies from the government of China; or

6 (2) any entity that owns, controls, is owned or
7 controlled by, is under common ownership with, or is a successor to
8 an entity described by Subdivision (1).

9 (c) An airport infrastructure or equipment contract entered
10 into by a local government or a person operating an airport on
11 behalf of a local government must contain a written statement by the
12 entity with which the local government or person is contracting
13 verifying that the entity is not an entity described by Subsection
14 (b)(1) or (2).

15 (d) If the written statement required in an airport
16 infrastructure or equipment contract under Subsection (c) is found
17 to be false, the contract is voidable by the local government or
18 person operating the airport.

19 SECTION 3. Section 22.0191, Transportation Code, as added
20 by this Act, applies only to an airport infrastructure or equipment
21 contract entered into, modified, or renewed on or after the
22 effective date of this Act.

23 SECTION 4. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2023.