

By: Bernal

H.B. No. 4942

A BILL TO BE ENTITLED

AN ACT

relating to the amount of an expenditure made by a municipality for which competitive bidding is required.

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

SECTION 1. Section 252.021(a), Local Government Code, is amended to read as follows:

(a) Before a municipality may enter into a contract that requires an expenditure of more than \$100,000 [~~\$50,000~~] from one or more municipal funds, the municipality must:

(1) comply with the procedure prescribed by this subchapter and Subchapter C for competitive sealed bidding or competitive sealed proposals;

(2) use the reverse auction procedure, as defined by Section 2155.062(d), Government Code, for purchasing; or

(3) comply with a method described by Chapter 2269, Government Code.

SECTION 2. Section 252.0215, Local Government Code, is amended to read as follows:

Sec. 252.0215. COMPETITIVE BIDDING IN RELATION TO HISTORICALLY UNDERUTILIZED BUSINESS. A municipality, in making an expenditure of more than \$10,000 [~~\$3,000~~] but less than \$100,000 [~~\$50,000~~], shall contact at least two historically underutilized businesses on a rotating basis, based on information provided by the comptroller pursuant to Chapter 2161, Government Code. If the

1 list fails to identify a historically underutilized business in the
2 county in which the municipality is situated, the municipality is
3 exempt from this section.

4 SECTION 3. The changes in law made by this Act apply only to
5 a purchase made on or after the effective date of this Act. A
6 purchase made before the effective date of this Act is governed by
7 the law as it existed immediately before the effective date of this
8 Act, and that law is continued in effect for that purpose.

9 SECTION 4. This Act takes effect September 1, 2023.