

By: Campbell

S.B. No. 541

A BILL TO BE ENTITLED

AN ACT

relating to the barring of certain vendors from participation in certain contracts with the state or a political subdivision.

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

SECTION 1. Section 2155.077, Government Code, is amended by adding Subsection (a-3) to read as follows:

(a-3) The comptroller shall bar a vendor from participating in state contracts that are subject to this subtitle, including contracts for which purchasing authority is delegated to a state agency, if the vendor:

(1) is prohibited from participating in federal contracts under Section 889, John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. No. 115-232);

(2) contracts with an entity described by Subdivision (1); or

(3) is designated as a risk to state security by the governor, with advice from the Homeland Security Council, under rules adopted by the governor.

SECTION 2. Subchapter 2, Chapter 271, Local Government Code, is amended by adding Section 271.909 to read as follows:

Sec. 271.909. BARRING CERTAIN VENDORS FROM PARTICIPATION IN CONTRACTS. The governing body of a political subdivision by ordinance, order, or other measure shall bar a vendor from participating in contracts with the political subdivision if the

1 vendor:

2 (1) is prohibited from participating in federal
3 contracts under Section 889, John S. McCain National Defense
4 Authorization Act for Fiscal Year 2019 (Pub. L. No. 115-232);

5 (2) contracts with an entity described by Subdivision
6 (1); or

7 (3) is designated as a risk to state security by the
8 governor, with advice from the Homeland Security Council, under
9 rules adopted by the governor.

10 SECTION 3. The changes in law made by this Act apply only to
11 a contract for which a state agency or political subdivision first
12 advertises or otherwise solicits offers, bids, proposals,
13 qualifications, or other applicable expressions of interest on or
14 after the effective date of this Act. A contract for which a state
15 agency or political subdivision first advertises or otherwise
16 solicits offers, bids, proposals, qualifications, or other
17 applicable expressions of interest before the effective date of
18 this Act is governed by the law as it existed immediately before the
19 effective date of this Act, and that law is continued in effect for
20 that purpose.

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