

By: Harris Davila

H.B. No. 408

A BILL TO BE ENTITLED

AN ACT

relating to the awarding of contracts by the Texas Department of Transportation for certain materials used in road construction projects.

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

SECTION 1. Subchapter B, Chapter 223, Transportation Code, is amended by adding Section 223.0471 to read as follows:

Sec. 223.0471. PROHIBITED PREFERENCE FOR CERTAIN BIDS BASED ON USE OF ENVIRONMENTAL, SOCIAL, AND GOVERNANCE CRITERIA FOR MATERIAL SELECTION. In comparing bids for materials to be used in a project to which this chapter applies, the department may not give a preference to a bid that proposes using certain materials based on environmental, social, and governance criteria, including carbon emission criteria, if the proposed materials are less cost effective or durable than alternative materials for the same project.

SECTION 2. This Act takes effect September 1, 2025.