

## **BILL ANALYSIS**

Senate Research Center

S.B. 376  
By: Lindsay/Gallegos  
Business & Commerce  
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As Filed

### **DIGEST AND PURPOSE**

Last session, Texas ports were granted the same authority as school districts in procurement and construction bidding by allowing ports to use provisions in Chapter 44, Education Code. However, Texas law is ambiguous regarding the authority of a port to send out information regarding its small business development program. As proposed, S.B. 376 requires a port to include in requests for bids, proposals, and qualifications information about its small business development program.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 60.404(d), Water Code, to require the specifications regarding a bid proposal to follow certain instructions, including an indication of whether a small business development program adopted by the port commission of the port authority or district applies to the purchase and, if so, where a copy of the program requirements may be obtained.

SECTION 2. Amends Section 60.4125, Water Code, by adding Subsection (d) to require, if a purchase or contract made under Subsection (a) is subject to a small business development program adopted by the port commission of the port authority or district, the purchase solicitation to indicate that fact and to also indicate where a copy of the program requirements may be obtained.

SECTION 3. Effective date: upon passage or September 1, 2003.