

BILL ANALYSIS

S.B. 726
By: Wentworth
Local Government Ways and Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently in Texas, an appraisal district may not enter into a contract with a value over \$15,000, unless the contract is submitted to competitive bidding. As proposed, S.B. 726 allows Texas appraisal districts to use a competitive sealed proposal method for certain purchases, permitting negotiation with the qualified bidders and modification of the proposals after submission.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 6.11, Tax Code, as follows:

Sec. 6.11. New heading: PURCHASING AND CONTRACTING AUTHORITY.

(a) Provides that an appraisal district is subject to the same requirements and has the same purchasing and contracting authority as a municipality under Chapter 252 (Purchasing and Contracting Authority of Municipalities), Local Government Code. Deletes text requiring competitive bidding on any expenditure which exceeds \$15,000. Deletes text providing that an appraisal district's board has the same powers regarding contracts and bids as does a commissioners court under Chapter 271C (Certificate of Obligation Act), Local Government Code.

(b) Provides that for purposes of this section all the provisions of Chapter 252, Local Government Code, applicable to a municipality or to purchases and contracts by a municipality apply to an appraisal district and to purchases and contracts by an appraisal district to the extent they can be made applicable, and all references to the municipality in that chapter mean the appraisal district. Authorizes any resident of the appraisal district, for purposes of applying Section 252.061, Local Government Code, to an appraisal district, to seek an injunction under that section. Provides that Sections 252.062 and 252.063, Local Government Code, apply to an officer or employee of an appraisal district in the same manner those sections apply to a municipal officer or employee. Deletes text relating to notice of the contract.

(c) Subsection deleted.

SECTION 2. Effective date: July 1, 2003 if it receives a vote of two-thirds of all the members elected to each house, otherwise September 1, 2003.

EFFECTIVE DATE

July 1, 2003, or September 1, 2003