

By: Denny, et al.

H.B. No. 443

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to providing notice concerning certain school district  
3 purchases.

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

5 SECTION 1. Section 44.031(g), Education Code, is amended to  
6 read as follows:

7 (g) Notice of the time by which [~~when~~] and place where the  
8 bids or proposals, or the responses to a request for  
9 qualifications, will be received and opened shall be posted on the  
10 electronic procurement marketplace established under Subchapter B,  
11 Chapter 2177, Government Code, for a period of at least 14 days  
12 before the deadline for receiving bids, proposals, or responses to  
13 a request for qualifications or published in the county in which the  
14 district's central administrative office is located, once a week  
15 for at least two weeks before the deadline for receiving bids,  
16 proposals, or responses to a request for qualifications. If the  
17 notice is to be provided by publication and there is not a newspaper  
18 in the county in which the district's central administrative office  
19 is located [~~that county~~], the advertising shall be published in a  
20 newspaper in the county nearest the county seat of the county in  
21 which the district's central administrative office is located. In  
22 a two-step procurement process, the time by which and place where  
23 the second-step bids, proposals, or responses will be received are  
24 not required to be posted or published separately. A district that

1 publishes notice in a newspaper shall include the Internet website  
2 addresses of the district and of the electronic procurement  
3 marketplace in the published notice.

4 SECTION 2. Section 44.031, Education Code, is amended by  
5 adding Subsection (g-1) to read as follows:

6 (g-1) Notwithstanding Subsection (g), if a school district  
7 publishes notice in a newspaper under Subsection (g) and the  
8 district determines that a sufficient number of bids, proposals, or  
9 responses have been received, the district is not required to  
10 continue to publish notice in the newspaper after the first week of  
11 publication. The board of trustees of the district shall adopt  
12 guidelines to assist the district in determining whether the  
13 district has received a sufficient number of bids, proposals, or  
14 responses.

15 SECTION 3. Section 2177.051(e), Government Code, is amended  
16 to read as follows:

17 (e) The commission may make state procurement information  
18 available to political subdivisions through the electronic  
19 procurement marketplace on a fee-for-service basis. The commission  
20 shall set the fees in an amount that recovers the state's costs in  
21 providing the access to a political subdivision. The commission  
22 shall permit a school district, in complying with Section  
23 44.031(g), Education Code, to post information on the electronic  
24 procurement marketplace.

25 SECTION 4. This Act takes effect September 1, 2003.