

1-1 By: Madden (Senate Sponsor - Fraser) H.B. No. 2528  
1-2 (In the Senate - Received from the House May 12, 2003;  
1-3 May 13, 2003, read first time and referred to Committee on Business  
1-4 and Commerce; May 21, 2003, reported favorably by the following  
1-5 vote: Yeas 9, Nays 0; May 21, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the authority of school districts to purchase  
1-9 electricity through a political subdivision corporation.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 44.031(a), Education Code, is amended to  
1-12 read as follows:

1-13 (a) Except as provided by this subchapter, all school  
1-14 district contracts, except contracts for the purchase of produce or  
1-15 vehicle fuel, valued at \$25,000 or more in the aggregate for each  
1-16 12-month period shall be made by the method, of the following  
1-17 methods, that provides the best value for the district:

1-18 (1) competitive bidding;

1-19 (2) competitive sealed proposals;

1-20 (3) a request for proposals, for services other than  
1-21 construction services;

1-22 (4) a catalogue purchase as provided by Subchapter B,  
1-23 Chapter 2157, Government Code;

1-24 (5) an interlocal contract;

1-25 (6) a design/build contract;

1-26 (7) a contract to construct, rehabilitate, alter, or  
1-27 repair facilities that involves using a construction manager;

1-28 (8) a job order contract for the minor construction,  
1-29 repair, rehabilitation, or alteration of a facility; ~~or~~

1-30 (9) the reverse auction procedure as defined by  
1-31 Section 2155.062(d), Government Code; or

1-32 (10) the formation of a political subdivision  
1-33 corporation under Section 304.001, Local Government Code.

1-34 SECTION 2. Section 304.001(a), Local Government Code, is  
1-35 amended to read as follows:

1-36 (a) In this chapter, "political subdivision" means a  
1-37 county, municipality, school district, hospital district, or any  
1-38 other political subdivision receiving electric service from an  
1-39 entity that has implemented customer choice, as defined in Section  
1-40 31.002, Utilities Code.

1-41 SECTION 3. This Act takes effect immediately if it receives  
1-42 a vote of two-thirds of all the members elected to each house, as  
1-43 provided by Section 39, Article III, Texas Constitution. If this  
1-44 Act does not receive the vote necessary for immediate effect, this  
1-45 Act takes effect September 1, 2003.

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