

By: Laney

H.B. No. 3032

A BILL TO BE ENTITLED

AN ACT

relating to purchasing preferences to Texas and United States products under certain state and local purchasing procedures.

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

SECTION 1. Sections 2155.444(a), (b), and (d), Government Code, are amended to read as follows:

(a) The commission and all state agencies making purchases of goods, including agricultural products, shall give preference to those produced, assembled, or grown in this state or offered by Texas bidders if ~~[as follows]~~:

(1) the cost to the state for the Texas-related goods is not greater than 105 percent of the cost for the other goods; and

(2) the quality of the Texas-related goods is equal to the quality of the other goods

~~[(1) goods produced in this state or offered by Texas bidders shall equally be given preference if the cost to the state and quality are equal; and~~

~~[(2) agricultural products grown in this state shall be given first preference and agricultural products offered by Texas bidders shall be given second preference, if the cost to the state and quality are equal].~~

(b) If goods, including agricultural products, produced, assembled, or grown in this state or offered by Texas bidders are not equal in ~~[cost and]~~ quality to other products, then goods,

1 including agricultural products, produced, assembled, or grown in
2 other states of the United States shall be given preference over
3 foreign products if the cost to the state and quality are equal.

4 (d) The commission and all state agencies making purchase of
5 vegetation for landscaping purposes, including plants, shall give
6 preference to Texas vegetation native to the region if:

7 (1) the cost to the state is not greater than 105
8 percent of the cost for non-native vegetation; and

9 (2) the quality of the vegetation native to the region
10 is not inferior to the non-native vegetation.

11 SECTION 2. Chapter 271, Local Government Code, is amended
12 by adding Subchapter I to read as follows:

13 SUBCHAPTER I. PREFERENCE TO TEXAS AND UNITED STATES PRODUCTS

14 Sec. 271.131. DEFINITIONS. In this subchapter:

15 (1) "Agricultural products" includes textiles and
16 other similar products.

17 (2) "Goods" means supplies, materials, equipment, and
18 agricultural products.

19 (3) "Local government" means a county, municipality,
20 special district or authority, school district, junior college
21 district, hospital district, or any other political subdivision of
22 the state.

23 (4) "Produce" means process, manufacture, assemble,
24 or construct.

25 Sec. 271.132. PURCHASING PROCEDURES. (a) In making a
26 purchase under this title, a local government making a purchase of
27 goods shall give preference to those produced or grown in this state

1 or offered by Texas bidders if:

2 (1) the cost to the local government for the
3 Texas-related goods does not exceed 105 percent of the cost for the
4 other goods; and

5 (2) the quality of the Texas-related goods is equal to
6 the quality of the other goods.

7 (b) If goods produced or grown in this state or offered by
8 Texas bidders are not equal in quality to other products, then goods
9 produced or grown in other states of the United States shall be
10 given preference over foreign products if the cost to the local
11 government and quality are equal.

12 SECTION 3. This Act takes effect September 1, 2003, and
13 applies only to a proposal, request, or bid submitted to a local
14 government, state agency, or the Texas Building and Procurement
15 Commission on or after that date.