

1-1 By: Pitts (Senate Sponsor - Estes) H.B. No. 3242
1-2 (In the Senate - Received from the House May 5, 2003;
1-3 May 7, 2003, read first time and referred to Committee on State
1-4 Affairs; May 21, 2003, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
1-6 May 21, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3242 By: Nelson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the use of the reverse auction procedure by the Texas
1-11 Building and Procurement Commission.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 2155.062(d), Government Code, is amended
1-14 to read as follows:

1-15 (d) In this subchapter [~~section~~], "reverse auction
1-16 procedure" means:

1-17 (1) a real-time bidding process usually lasting less
1-18 than one hour and taking place at a previously scheduled time and
1-19 Internet location, in which multiple suppliers, anonymous to each
1-20 other, submit bids to provide the designated goods or services; or

1-21 (2) a bidding process usually lasting less than two
1-22 weeks and taking place during a previously scheduled period and at a
1-23 previously scheduled Internet location, in which multiple
1-24 suppliers, anonymous to each other, submit bids to provide the
1-25 designated goods or services.

1-26 SECTION 2. Subchapter B, Chapter 2155, Government Code, is
1-27 amended by adding Section 2155.085 to read as follows:

1-28 Sec. 2155.085. REVERSE AUCTION PROCEDURE. (a) At least 10
1-29 percent of the dollar value of open market purchases, other than
1-30 purchases of professional services as defined by Section 2254.002,
1-31 made by a state agency or by the commission on behalf of a state
1-32 agency each state fiscal year shall be purchased using the reverse
1-33 auction procedure.

1-34 (b) In September of each year, a state agency shall submit
1-35 to the governor, the lieutenant governor, and the speaker of the
1-36 house of representatives a written justification if the agency did
1-37 not comply with Subsection (a) during the preceding state fiscal
1-38 year.

1-39 SECTION 3. This Act takes effect September 1, 2003.

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