

By: Janek

S.B. No. 232

A BILL TO BE ENTITLED

AN ACT

relating to the purchase of goods and services by county purchasing agents.

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

SECTION 1. Sections 262.011(d), (e), and (n), Local Government Code, are amended to read as follows:

(d) The county purchasing agent shall purchase all goods and services required or used, including supplies, materials, and equipment [~~required or used~~], and shall contract for all repairs to property used [~~r~~] by the county or a subdivision, officer, or employee of the county, except purchases and contracts required by law to be made on competitive bid. A person other than the county purchasing agent may not make the purchase of goods or services [~~the supplies, materials, or equipment~~] or make the contract for repairs.

(e) The county purchasing agent shall:

(1) supervise all purchases made under [~~on~~] competitive bidding or competitive proposal procedures and all contracts made under Subchapter H, Chapter 271; [bid] and

(2) [~~shall~~] see that all purchased goods and services [~~supplies, materials, and equipment~~] are delivered or provided to the proper county officer or department in accordance with the purchase contract or properly delivered or provided under the construction or repair contract, as applicable.

1           (n) This section applies to all purchases of goods and  
2 services [~~supplies, materials, and equipment~~] for the use of the  
3 county and its officers, including purchases made by officers paid  
4 out of fees of office or otherwise, regardless of whether the  
5 purchase contract is made by the commissioners court or any other  
6 officer authorized to bind the county by contract. An officer  
7 making a purchase out of fees of office in violation of this section  
8 may not deduct the amount of the purchase from the amount of any  
9 fees of office due the county.

10           SECTION 2. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2003.