

AN ACT

relating to authorizing a defense base development authority to use alternative methods for contracting for public improvement projects.

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

SECTION 1. Subdivision (10), Section 271.111, Local Government Code, is amended to read as follows:

(10) "Governmental entity" means a municipality, county, ~~or~~ river authority, or defense base development authority established under Chapter 378 as added by Chapter 1221, Acts of the 76th Legislature, Regular Session, 1999.

SECTION 2. Subsections (a) and (d), Section 271.112, Local Government Code, are amended to read as follows:

(a) Any provision in the charter of a home-rule municipality or ~~any~~ regulation, if any, of a county, ~~or~~ river authority, or defense base development authority that requires the use of competitive bidding or competitive sealed proposals or that prescribes procurement procedures and that is in conflict with this subchapter controls over this subchapter unless the governing body of the governmental entity elects to have this subchapter supersede the charter or regulation.

(d) For a contract entered into by a municipality, ~~or~~ river authority, or defense base development authority under any of the methods provided by this subchapter, the municipality, ~~or~~

1 river authority, or defense base development authority shall  
 2 publish notice of the time and place the bids or proposals, or the  
 3 responses to a request for qualifications, will be received and  
 4 opened. The notice must be published in a newspaper of general  
 5 circulation in the county in which the defense base development  
 6 authority's or municipality's central administrative office is  
 7 located or the county in which the greatest amount of the river  
 8 authority's territory is located once each week for at least two  
 9 weeks before the deadline for receiving bids, proposals, or  
 10 responses. If there is not a newspaper of general circulation in  
 11 that county, the notice shall be published in a newspaper of general  
 12 circulation in the county nearest the county seat of the county in  
 13 which the defense base development authority's or municipality's  
 14 central administrative office is located or the county in which the  
 15 greatest amount of the river authority's territory is located. In a  
 16 two-step procurement process, the time and place the second step  
 17 bids, proposals, or responses will be received are not required to  
 18 be published separately.

19 SECTION 3. (a) This Act takes effect September 1, 2003.

20 (b) The changes in law made by this Act apply only to a  
 21 contract for which requests for bids, requests for proposals, or  
 22 requests for qualifications are published or distributed on or  
 23 after September 1, 2003.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 719 passed the Senate on April 16, 2003, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 719 passed the House on May 23, 2003, by a non-record vote.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor