

A BILL TO BE ENTITLED

AN ACT

relating to the purchasing and contracting authority of commissaries operated by sheriffs.

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

SECTION 1. Section 351.0415, Local Government Code, is amended by adding Subsection (e) to read as follows:

(e) In reviewing bids under Subsection (b)(3), the sheriff shall consider whether the contract should provide for a fixed rate of return by which a supplier pays a set amount to the sheriff on a daily, monthly, or annual basis.

SECTION 2. Section 351.04155, Local Government Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) This section applies only to a county that:

(1) has a population of one million or more; and

(2) has two municipalities with a population of 200,000 [~~300,000~~] or more.

(c) A purchase made by the sheriff using commissary proceeds is subject to the competitive purchasing procedures contained in Subchapter C, Chapter 262. For the purpose of complying with that subchapter, a reference in that subchapter to "commissioners court" means the sheriff and a reference to "the county official who makes purchases for the county" means the sheriff or the sheriff's designee.

1 SECTION 3. This Act takes effect September 1, 2005.