

By: Allen of Dallas

H.B. No. 2835

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

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

16 (2) is adjacent to a county [~~has two municipalities~~]  
17 with a population of one million [~~300,000~~] or more.

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

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