

By: Brown of Brazos

H.B. No. 119

A BILL TO BE ENTITLED

AN ACT

relating to the exemption from competitive bidding for certain purchases.

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

SECTION 1. Section 2155.132(e), Government Code, is amended to read as follows:

(e) Competitive bidding, whether formal or informal, is not required for a purchase by a state agency if the purchase:

(1) does not exceed \$5,000; and

(2) is not made under a written contract [~~\$2,000, or a greater amount prescribed by commission rule~~].

SECTION 2. Section 2157.0611, Government Code, is amended to read as follows:

Sec. 2157.0611. REQUIREMENT TO EVALUATE THREE OFFERS WHEN POSSIBLE. A catalog purchase or lease that exceeds \$5,000 [~~\$2,000~~] or that is made under a written contract [~~a greater amount prescribed by commission rule~~] shall, when possible, be based on an evaluation of at least three catalog offers made to the commission or other state agency by catalog information systems vendors. If at least three catalog offers are not evaluated by the commission or other state agency before a purchase or lease is made that exceeds the threshold amount or is made under a written contract, the commission or other agency shall document the reasons for that fact before making the purchase or lease under Section 2157.063.

1 SECTION 3. The changes in law made by this Act to Sections
2 2155.132(e) and 2157.0611, Government Code, apply only to a
3 purchase under a contract entered into on or after the effective
4 date of this Act. A purchase under a contract entered into before
5 the effective date of this Act is governed by the law in effect on
6 the date the contract was entered into, and the former law is
7 continued in effect for that purpose.

8 SECTION 4. This Act takes effect September 1, 2007.