

By: Anchia, Farabee

H.B. No. 535

A BILL TO BE ENTITLED

AN ACT

relating to the provision of a preference in state purchasing decisions for vendors that provide health benefits to employees.

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

SECTION 1. Subchapter H, Chapter 2155, Government Code, is amended by adding Section 2155.454 to read as follows:

Sec. 2155.454. PREFERENCE FOR VENDORS THAT PROVIDE HEALTH BENEFITS COVERAGE. The comptroller and all state agencies procuring goods or services shall give preference to goods or services of a vendor that demonstrates that the vendor provides health benefits coverage that is at least equivalent to a standard health benefit plan offered under Chapter 1507, Insurance Code, to each of the vendor's full-time employees and the dependents of the employees if:

(1) the vendor pays 100 percent of the health insurance premiums for each full-time employee who participates in the insurance program and at least 75 percent of the health insurance premiums for each dependent of a full-time employee who elects to participate in dependent coverage under the insurance program;

(2) the goods or services meet state specifications regarding quantity and quality; and

(3) the cost of the goods or services does not exceed the ultimate cost to the comptroller or state agency that would

1 result if the comptroller or state agency procured similar goods or  
2 services from a vendor that does not demonstrate that the vendor  
3 provides health benefits coverage described by this section to the  
4 vendor's employees and the employees' dependents.

5         SECTION 2. Section 2155.454, Government Code, as added by  
6 this Act, applies only to a contract for the procurement of goods  
7 and services for which the solicitation of bids or proposals,  
8 request for proposals, or similar required notification as to the  
9 goods or services is published on or after September 1, 2009. A  
10 contract for the procurement of goods and services for which the  
11 solicitation of bids or proposals, request for proposals, or  
12 similar required notification as to the goods or services is  
13 published before September 1, 2009, is governed by the law in effect  
14 at the time the solicitation, request, or notification is  
15 published, and that law is continued in effect for that purpose.

16         SECTION 3. This Act takes effect September 1, 2009.