

1-1 By: Isett (Senate Sponsor - Duncan) H.B. No. 2082
1-2 (In the Senate - Received from the House April 29, 2009;
1-3 May 4, 2009, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 22, 2009, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 22, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to consideration of contract amount and bidder's principal
1-9 place of business in awarding certain municipal contracts.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 271.9051(b), Local Government Code, is
1-12 amended to read as follows:

1-13 (b) In purchasing under this title any real property,
1-14 personal property that is not affixed to real property, or
1-15 services, if a municipality receives one or more competitive sealed
1-16 bids from a bidder whose principal place of business is in the
1-17 municipality and whose bid is within five percent of the lowest bid
1-18 price received by the municipality from a bidder who is not a
1-19 resident of the municipality, the municipality may enter into a
1-20 contract for an expenditure of less than \$100,000 with:

1-21 (1) the lowest bidder; or

1-22 (2) the bidder whose principal place of business is in
1-23 the municipality if the governing body of the municipality
1-24 determines, in writing, that the local bidder offers the
1-25 municipality the best combination of contract price and additional
1-26 economic development opportunities for the municipality created by
1-27 the contract award, including the employment of residents of the
1-28 municipality and increased tax revenues to the municipality.

1-29 SECTION 2. This Act takes effect immediately if it receives
1-30 a vote of two-thirds of all the members elected to each house, as
1-31 provided by Section 39, Article III, Texas Constitution. If this
1-32 Act does not receive the vote necessary for immediate effect, this
1-33 Act takes effect September 1, 2009.

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