

By: Estes

S.B. No. 253

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the amount of a county expenditure for which  
3 competitive bidding is required.

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

5 SECTION 1. Section 262.003(a), Local Government Code, is  
6 amended to read as follows:

7 (a) Any law that requires a county to follow a competitive  
8 bidding procedure in making a purchase requiring the expenditure of  
9 \$50,000 [~~\$25,000~~] or less does not apply to the purchase of an item  
10 available for purchase from only one supplier.

11 SECTION 2. Section 262.023(a), Local Government Code, is  
12 amended to read as follows:

13 (a) Before a county may purchase one or more items under a  
14 contract that will require an expenditure exceeding \$50,000  
15 [~~\$25,000~~], the commissioners court of the county must:

16 (1) comply with the competitive bidding or competitive  
17 proposal procedures prescribed by this subchapter;

18 (2) use the reverse auction procedure, as defined by  
19 Section 2155.062(d), Government Code, for purchasing; or

20 (3) comply with a method described by Subchapter H,  
21 Chapter 271.

22 SECTION 3. Section 271.024, Local Government Code, is  
23 amended to read as follows:

24 Sec. 271.024. COMPETITIVE BIDDING PROCEDURE APPLICABLE TO

1 CONTRACT. The bidding of [~~If a governmental entity is required by~~  
2 ~~statute to award~~] a contract awarded by a governmental entity for  
3 the construction, repair, or renovation of a structure, road,  
4 highway, or other improvement or addition to real property [~~on the~~  
5 ~~basis of competitive bids, and if the contract requires the~~  
6 ~~expenditure of more than \$25,000 from the funds of the entity, the~~  
7 ~~bidding on the contract~~] must be accomplished in the manner  
8 provided by this subchapter if:

9 (1) a statute requires the governmental entity to  
10 award the contract on the basis of competitive bids; and

11 (2) the contract requires the expenditure of more  
12 than:

13 (A) \$25,000 from the funds of a governmental  
14 entity other than a county; or

15 (B) \$50,000 from the funds of a county.

16 SECTION 4. Section 363.156(b), Local Government Code, is  
17 amended to read as follows:

18 (b) To the extent competitive bidding procedures in Title 8  
19 apply, the board may not enter purchasing contracts that involve  
20 spending more than \$50,000 [~~\$25,000~~] unless the board complies  
21 with:

22 (1) Subchapter C, Chapter 262, if the district was  
23 created by a county; or

24 (2) Chapter 252, if the district was created by a  
25 municipality.

26 SECTION 5. The change in law made by this Act applies only  
27 to a contract awarded on or after the effective date of this Act.

1 SECTION 6. This Act takes effect September 1, 2009.