

By: Wentworth

S.B. No. 447

A BILL TO BE ENTITLED

AN ACT

relating to the award of certain municipal contracts.

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

SECTION 1. Sections 271.9051(a) and (b), Local Government Code, are amended to read as follows:

(a) This section applies only to a municipality with a population of less than 250,000 that contracts for or purchases ~~is authorized under this title to purchase real property or personal property that is not affixed to real property.~~

~~[(b) In purchasing]~~ under this title:

(1) ~~[any]~~ real property;

(2) ~~[r]~~ personal property that is not affixed to real property;

(3) ~~[, or]~~ services; or

(4) construction of a building, road, street, bridge, utility, or storm drainage facility.

(b) If ~~[, if]~~ a municipality receives one or more competitive sealed bids from a bidder whose principal place of business is in the municipality and whose bid is within five percent of the lowest bid price received by the municipality from a bidder who is not a resident of the municipality, the municipality may enter into a contract with:

(1) the lowest bidder; or

(2) the bidder whose principal place of business is in

1 the municipality if the governing body of the municipality
2 determines, in writing, that the local bidder offers the
3 municipality the best combination of contract price and additional
4 economic development opportunities for the municipality created by
5 the contract award, including the employment of residents of the
6 municipality and increased tax revenues to the municipality.

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