

By: Thompson

H.B. No. 902

A BILL TO BE ENTITLED

1 AN ACT
2 relating to consideration of a bidder's principal place of business
3 in awarding certain municipal contracts.

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

5 SECTION 1. Section 271.9051(a), Local Government Code, is
6 amended to read as follows:

7 (a) Except as provided by Section 271.9052, this [This]
8 section applies only to a municipality with a population of less
9 than 250,000 that is authorized under this title to purchase real
10 property or personal property that is not affixed to real property.

11 SECTION 2. Subchapter Z, Chapter 271, Local Government
12 Code, is amended by adding Section 271.9052 to read as follows:

13 Sec. 271.9052. CONSIDERATION OF LOCATION OF BIDDER'S
14 PRINCIPAL PLACE OF BUSINESS IN MUNICIPALITY WITH POPULATION OF TWO
15 MILLION OR MORE. (a) This section applies only to a municipality
16 with a population of two million or more that is authorized under
17 this title to purchase real property or personal property that is
18 not affixed to real property.

19 (b) In purchasing under this title any real property,
20 personal property that is not affixed to real property, or
21 services, if a municipality receives one or more competitive sealed
22 bids from a bidder whose principal place of business is in the
23 municipality and whose bid is within five percent of the lowest bid
24 price received by the municipality from a bidder who is not a

1 resident of the municipality, the municipality may enter into a
2 contract for an expenditure of less than \$100,000 in accordance
3 with and subject to the provisions of Sections 271.9051(b), (c),
4 and (d).

5 SECTION 3. The change in law made by this Act applies only
6 to a contract for which the initial notice soliciting bids is given
7 on or after the effective date of this Act.

8 SECTION 4. This Act takes effect September 1, 2011.