

By: Hopson

H.B. No. 1650

A BILL TO BE ENTITLED

AN ACT

relating to a preference in governmental purchasing for building materials offered by resident bidders.

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

SECTION 1. The heading to Subchapter A, Chapter 2252, Government Code, is amended to read as follows:

SUBCHAPTER A. RESIDENT AND NONRESIDENT BIDDERS

SECTION 2. Subchapter A, Chapter 2252, Government Code, is amended by adding Section 2252.005 to read as follows:

Sec. 2252.005. PREFERENCE FOR BUILDING MATERIALS OFFERED BY RESIDENT BIDDERS. (a) In this section, "building materials" includes paper, paperboard, gypsum board, wood panel products, corrugated containers, and other materials used or consumed in the construction, renovation, repair, or remodeling of improvements to real property.

(b) Notwithstanding Section 2252.002, a governmental entity making purchases of building materials shall give preference to materials offered by resident bidders if:

(1) the building materials meet state specifications regarding quantity and quality; and

(2) the cost of the building materials is equal to or less than the cost of other similar materials that are offered by a nonresident bidder.

(c) Notwithstanding Section 2252.002, a governmental entity

1 awarding construction contracts, including the Texas Facilities
2 Commission under Chapter 2166, shall give preference to bidders
3 whose bid includes the use of building materials offered by
4 resident bidders if:

5 (1) the building materials meet state specifications
6 regarding quantity and quality; and

7 (2) the bid amount is equal to or less than the bid
8 amount that is offered by a nonresident bidder.

9 SECTION 3. The change in law made by this Act applies only
10 to a contract for which a governmental entity first advertises or
11 otherwise solicits bids or proposals on or after the effective date
12 of this Act.

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