

1-1 By: Wentworth S.B. No. 1113
1-2 (In the Senate - Filed March 3, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Education; April 13, 2011,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 8, Nays 0; April 13, 2011, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 1113 By: Seliger

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to certain contracts entered into by school districts for
1-10 another entity to provide food services at one or more district
1-11 schools.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 44.031, Education Code, is amended by
1-14 adding Subsection (n) to read as follows:

1-15 (n) A school district contract to which Subsection (a)
1-16 applies under which the district contracts with another entity for
1-17 that entity to manage or otherwise provide food services at one or
1-18 more district schools must require that any other contract the
1-19 entity makes in performance of its duties under the contract with
1-20 the district and to which Subsection (a) would apply if the district
1-21 were making the contract be made:

1-22 (1) under the method listed by Subsection (a) that
1-23 provides the best value to the entity and the district;

1-24 (2) with consideration of the factors specified under
1-25 Subsection (b) and, as applicable, under Subsection (b-1), in
1-26 determining to whom to award the contract; and

1-27 (3) as provided by Subsection (g).

1-28 SECTION 2. Subsection (n), Section 44.031, Education Code,
1-29 as added by this Act, applies only to a contract entered into on or
1-30 after the effective date of this Act by a school district with
1-31 another entity for that entity to manage or otherwise provide food
1-32 services at one or more district schools. A contract entered into
1-33 before the effective date of this Act by a school district with
1-34 another entity for that entity to manage or otherwise provide food
1-35 services at one or more district schools is governed by the law in
1-36 effect on the date the contract was entered into, and that law is
1-37 continued in effect for that purpose.

1-38 SECTION 3. This Act takes effect immediately if it receives
1-39 a vote of two-thirds of all the members elected to each house, as
1-40 provided by Section 39, Article III, Texas Constitution. If this
1-41 Act does not receive the vote necessary for immediate effect, this
1-42 Act takes effect September 1, 2011.

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