

By: Davis

S.B. No. 1864

A BILL TO BE ENTITLED

AN ACT

relating to the awarding of contracts by the Texas Department of Transportation to private sector providers.

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

SECTION 1. Subchapter B, Chapter 223, Transportation Code, is amended by adding Section 223.049 to read as follows:

Sec. 223.049. AWARD OF CONTRACT TO PRIVATE SECTOR PROVIDER. Notwithstanding any other law, the department, in awarding a contract to a private sector provider, shall give preference to a private sector provider whose principal place of business is located in this state if:

(1) the transportation project for which the contract is being awarded is funded entirely from:

(A) state funds;

(B) local funds; or

(C) a combination of state and local funds; and

(2) the provider meets department expectations regarding price for the contract.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.