

By: Davis, West

S.B. No. 1866

A BILL TO BE ENTITLED

AN ACT

relating to the selection of providers of professional services by governmental entities.

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

SECTION 1. Section 2254.003, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Unless inconsistent with the criteria in Subsection (a), a governmental entity selecting a provider of or awarding a contract for professional services may consider:

(1) the impact on the entity's ability to comply with laws, rules, or policies regarding, as applicable:

(A) historically underutilized or minority-owned businesses;

(B) small business development programs; and

(C) any other contracting program approved by the entity that relates to Paragraph (A) or (B); and

(2) the locations of the provider's or group or association of providers' places of business where the work will be performed if, in the entity's governing body's judgment, the location of the places of business where the work will be performed will impact the most efficient and economical provision of the services.

SECTION 2. Section 2254.004, Government Code, is amended by adding Subsection (a-1) to read as follows:

1 (a-1) Unless inconsistent with the criteria in Subsection
2 (a), a governmental entity selecting a provider of or awarding a
3 contract for architectural, engineering, or land surveying
4 services may consider:

5 (1) the impact on the entity's ability to comply with
6 laws, rules, or policies regarding, as applicable:

7 (A) historically underutilized or minority-owned
8 businesses;

9 (B) small business development programs; and

10 (C) any other contracting program approved by the
11 entity that relates to Paragraph (A) or (B); and

12 (2) the locations of the provider's places of business
13 where the work will be preformed if, in the entity's governing
14 body's judgement, the location of the places of business where the
15 work will be performed will impact the most efficient and
16 economical provision of the services.

17 SECTION 3. The changes in law made by this Act apply only to
18 a contract for which an invitation for offers, request for
19 proposals, request for qualifications, or other similar
20 solicitation is first published or distributed on or after the
21 effective date of this Act. A contract for which an invitation for
22 offers, request for proposals, request for qualifications, or other
23 similar solicitation is first published or distributed before the
24 effective date of this Act is governed by the law in effect at the
25 time the invitation, request, or other solicitation is published or
26 distributed, and the former law is continued in effect for that
27 purpose.

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