

By: Birdwell

S.B. No. 438

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an interlocal contract between a governmental entity
3 and a purchasing cooperative to purchase roofing materials or
4 services.

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

6 SECTION 1. Section 791.011, Government Code, is amended by
7 adding Subsections (h-1) and (h-2) to read as follows:

8 (h-1) In this subsection, "roofing materials or services"
9 includes materials or services for repair or replacement of a roof.
10 An interlocal contract between a governmental entity and a
11 purchasing cooperative may not be used to purchase roofing
12 materials or services from a person who provided consulting
13 services to the cooperative on the contract, including providing
14 specifications for bids on the contract. This prohibition also
15 applies to:

16 (1) a person that is an agent, subsidiary, or parent
17 company of the person who consulted with the cooperative; or

18 (2) a person related in the second degree of
19 consanguinity or affinity to a person who consulted with the
20 cooperative.

21 (h-2) The prohibition under Subsection (h-1) does not apply
22 to a renewal of a contract based on a request for proposal
23 submitted, or substantially similar to a request for proposal
24 submitted, before October 1, 2013, if the contract is renewed

1 before October 1, 2014. This subsection expires October 1, 2014.

2 SECTION 2. The change in law made by this Act to Section
3 791.011, Government Code, applies only to an interlocal contract or
4 an amendment to, supplement to, or waiver of a provision of a
5 contract made on or after the effective date of this Act. An
6 interlocal contract or an amendment to, supplement to, or waiver of
7 a provision of a contract made before the effective date of this Act
8 is governed by the law in effect when the contract or amendment,
9 supplement, or waiver was made, and the former law is continued for
10 that purpose.

11 SECTION 3. This Act takes effect October 1, 2013.