

1-1 By: Birdwell S.B. No. 438
1-2 (In the Senate - Filed February 8, 2013; February 13, 2013,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; April 29, 2013, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; April 29, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Hinojosa	X		
1-9	Nichols	X		
1-10	Garcia	X		
1-11	Paxton	X		
1-12	Taylor	X		

1-13 A BILL TO BE ENTITLED
1-14 AN ACT

1-15 relating to an interlocal contract between a governmental entity
1-16 and a purchasing cooperative to purchase roofing materials or
1-17 services.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Section 791.011, Government Code, is amended by
1-20 adding Subsections (h-1) and (h-2) to read as follows:

1-21 (h-1) In this subsection, "roofing materials or services"
1-22 includes materials or services for repair or replacement of a roof.
1-23 An interlocal contract between a governmental entity and a
1-24 purchasing cooperative may not be used to purchase roofing
1-25 materials or services from a person who provided consulting
1-26 services to the cooperative on the contract, including providing
1-27 specifications for bids on the contract. This prohibition also
1-28 applies to:

1-29 (1) a person that is an agent, subsidiary, or parent
1-30 company of the person who consulted with the cooperative; or

1-31 (2) a person related in the second degree of
1-32 consanguinity or affinity to a person who consulted with the
1-33 cooperative.

1-34 (h-2) The prohibition under Subsection (h-1) does not apply
1-35 to a renewal of a contract based on a request for proposal
1-36 submitted, or substantially similar to a request for proposal
1-37 submitted, before October 1, 2013, if the contract is renewed
1-38 before October 1, 2014. This subsection expires October 1, 2014.

1-39 SECTION 2. The change in law made by this Act to Section
1-40 791.011, Government Code, applies only to an interlocal contract or
1-41 an amendment to, supplement to, or waiver of a provision of a
1-42 contract made on or after the effective date of this Act. An
1-43 interlocal contract or an amendment to, supplement to, or waiver of
1-44 a provision of a contract made before the effective date of this Act
1-45 is governed by the law in effect when the contract or amendment,
1-46 supplement, or waiver was made, and the former law is continued for
1-47 that purpose.

1-48 SECTION 3. This Act takes effect October 1, 2013.

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