

By: Anderson of McLennan

H.B. No. 2001

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to interlocal contracts between a governmental entity and  
3 a purchasing cooperative.

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

5 SECTION 1. Subchapter C, Chapter 791, Government Code, is  
6 amended by adding Section 791.037 to read as follows:

7 Sec. 791.037. INTERLOCAL CONTRACT WITH PURCHASING  
8 COOPERATIVE; LIMITATION. (a) In this section, "purchasing  
9 cooperative" has the meaning assigned by Section 791.011(j).

10 (b) An interlocal contract between a governmental entity  
11 and a purchasing cooperative may not be used to purchase materials  
12 or services from a person who provided consulting services to the  
13 cooperative on the contract, including providing specifications  
14 for bids on the contract. This prohibition also applies to:

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

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

20 (c) The prohibition under Subsection (b) does not prevent a  
21 governmental entity from contracting with a person that provided  
22 only technical assistance in the development of the interlocal  
23 contract.

24 (d) The prohibition under Subsection (b) does not apply to a

1 renewal of a contract based on or substantially similar to a request  
2 for proposal submitted before September 1, 2015, if the contract is  
3 renewed before September 1, 2016. This subsection expires  
4 September 1, 2016.

5 SECTION 2. Section 791.037, Government Code, as added by  
6 this Act, applies only to an interlocal contract or an amendment to,  
7 supplement to, or waiver of a provision of a contract made on or  
8 after the effective date of this Act. An interlocal contract or an  
9 amendment to, supplement to, or waiver of a provision of a contract  
10 made before the effective date of this Act is governed by the law in  
11 effect when the contract or amendment, supplement, or waiver was  
12 made, and the former law is continued in effect for that purpose.

13 SECTION 3. This Act takes effect September 1, 2015.