86R5806 JXC-F

By:  Landgraf H.B. No. 2863

A BILL TO BE ENTITLED

AN ACT

relating to the applicability of competitive bidding requirements to expenditures for certain municipal utility facility relocations.

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

SECTION 1.  Section 252.022, Local Government Code, is amended by adding Subsection (c-1) to read as follows:

(c-1)  This chapter does not apply to an expenditure for the relocation or adjustment of a municipally owned utility facility if the relocation or adjustment:

(1)  is required as a result of the construction of a state transportation project; and

(2)  is performed by the entity procured by the state to construct the state transportation project or a subcontractor of that entity.

SECTION 2. (a) Except as provided by Subsection (b), the change in law made by this Act applies only to an expenditure under a contract entered into on or after the effective date of this Act.

(b)  An expenditure under a contract for which a request for bids, proposals, offers, or qualifications or a similar solicitation was made before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3.  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, 2019.