

By: Landgraf

H.B. No. 2863

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the applicability of competitive bidding requirements  
3 to expenditures for certain municipal utility facility  
4 relocations.

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

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

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

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

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

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

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

1           SECTION 3. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2019.