

AN ACT

relating to purchasing and contracting by governmental entities;
authorizing fees.

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

SECTION 1. Section 2155.510, Government Code, is amended to
read as follows:

Sec. 2155.510. REBATES. (a) The comptroller [~~commission~~]
may collect a rebate from a vendor under a contract listed on a
schedule developed under this subchapter.

(b) The comptroller shall notify a state agency purchasing a
good or service through a contract listed on a schedule developed
under this subchapter of the percentage used to calculate the
rebate authorized under Subsection (a) [If a purchase resulting in
a rebate under this section is made in whole or in part with federal
funds, the commission shall ensure that, to the extent the purchase
was made with federal funds, the appropriate portion of the rebate
is reported to the purchasing agency for reporting and
reconciliation purposes with the appropriate federal funding
agency].

SECTION 2. Section 2171.055, Government Code, is amended by
adding Subsections (k) and (l) to read as follows:

(k) An officer or employee of a local workforce development
board who is engaged in official board business may participate in
the comptroller's contract for travel services. The comptroller

1 may charge a participating board a fee not to exceed the costs
2 incurred by the comptroller in providing services under this
3 subsection. The comptroller shall periodically review the fees and
4 adjust the fees as necessary to ensure recovery of costs incurred in
5 providing services to a local workforce development board under
6 this subsection. In this subsection, "local workforce development
7 board" means a local workforce development board created under
8 Chapter [2308](#).

9 (1) An officer or employee of a governmental entity who is
10 engaged in official business of the governmental entity may
11 participate in the comptroller's contract for travel services. The
12 comptroller may charge a participating governmental entity a fee
13 not to exceed the costs incurred by the comptroller in providing
14 services under this subsection. The comptroller shall periodically
15 review the fees and adjust the fees as necessary to ensure recovery
16 of costs incurred in providing services to governmental entities
17 under this subsection. This subsection applies only to a
18 governmental entity that is a party to a compact, interagency
19 agreement, or cooperative purchasing agreement under Section
20 [2156.181](#).

21 SECTION 3. Section [2252.002](#), Government Code, as amended by
22 Chapters 1127 (H.B. 1050) and 1404 (H.B. 3648), Acts of the 83rd
23 Legislature, Regular Session, 2013, is reenacted to read as
24 follows:

25 Sec. 2252.002. AWARD OF CONTRACT TO NONRESIDENT BIDDER. A
26 governmental entity may not award a governmental contract to a
27 nonresident bidder unless the nonresident underbids the lowest bid

1 submitted by a responsible resident bidder by an amount that is not
2 less than the greater of the following:

3 (1) the amount by which a resident bidder would be
4 required to underbid the nonresident bidder to obtain a comparable
5 contract in the state in which the nonresident's principal place of
6 business is located; or

7 (2) the amount by which a resident bidder would be
8 required to underbid the nonresident bidder to obtain a comparable
9 contract in the state in which a majority of the manufacturing
10 relating to the contract will be performed.

11 SECTION 4. Section 2262.004, Government Code, is amended by
12 adding Subsection (e) to read as follows:

13 (e) This section does not apply to an attorney who:

14 (1) holds a license to practice law in this state; and

15 (2) has not been disciplined by the State Bar of Texas
16 for a violation of the Texas Disciplinary Rules of Professional
17 Conduct.

18 SECTION 5. Section 44.0331(a), Education Code, is amended
19 to read as follows:

20 (a) A school district that enters into a purchasing contract
21 valued at \$25,000 or more under Section 44.031(a)(5), under
22 Subchapter F, Chapter 271, Local Government Code, or under any
23 other cooperative purchasing program authorized for school
24 districts by law shall document any contract-related fee, including
25 any management fee, paid by the district and the purpose of each fee
26 under the contract.

27 SECTION 6. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1793 passed the Senate on April 29, 2019, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 21, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1793 passed the House, with amendment, on May 10, 2019, by the following vote: Yeas 120, Nays 12, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor