

By: Zaffirini

S.B. No. 1793

A BILL TO BE ENTITLED

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. This Act takes effect September 1, 2019.