By:  Walle H.B. No. 4437

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain counties to consider a prospective contractor's place of business when awarding certain contracts.

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

SECTION 1.  Section 271.905, Local Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1)  A county with a population of 3.3 million or more that is awarding a contract for services or for the construction, repair, or renovation of a structure, road, highway, or other improvement or addition to real property may award the contract to an entity with a permanent business presence in the county if:

(1)  the bid or proposed price submitted by the entity is within three percent of the lowest bid or proposed price received by the county from an entity with the ability to perform the contract that does not have a permanent business presence in the county; and

(2)  the commissioners court determines, in writing, that the bid or proposal of the entity offers the county the best combination of contract price, ability to perform the contract, and additional economic development opportunities for the county created by the contract award, including the employment of residents of the county and increased tax revenues to the county.

SECTION 2.  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, 2021.