87R3506 BEE-F

By:  Creighton S.B. No. 1098

A BILL TO BE ENTITLED

AN ACT

relating to certain contracts regarding airports and associated air navigation facilities operated by or on behalf of a local government.

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

SECTION 1.  Section 22.019, Transportation Code, is amended to read as follows:

Sec. 22.019.  CONTRACTS. Except as provided by Section 22.0191, a [~~A~~] local government may enter into a contract necessary to the execution of a power granted the local government and for a purpose provided by this chapter.

SECTION 2.  Subchapter B, Chapter 22, Transportation Code, is amended by adding Section 22.0191 to read as follows:

Sec. 22.0191.  AIRPORT INFRASTRUCTURE OR EQUIPMENT CONTRACTS. (a) In this section, "airport infrastructure or equipment contract" means a contract for the acquisition, construction, improvement, or renovation of airport infrastructure or equipment, including a terminal, security system, or passenger boarding bridge, used at an airport or an air navigation facility associated with an airport.

(b)  A local government or a person operating an airport on behalf of a local government may not enter into an airport infrastructure or equipment contract with:

(1)  an entity that:

(A)  a federal court determines has misappropriated intellectual property or trade secrets from another entity organized under federal, state, or local law; and

(B)  is owned wholly or partly by, is controlled by, or receives subsidies from the government of a country that:

(i)  is identified under Section 182, Trade Act of 1974 (19 U.S.C. Section 2242), as a priority foreign country; or

(ii)  is subject to monitoring by the Office of the United States Trade Representative in accordance with Section 306, Trade Act of 1974 (19 U.S.C. Section 2416); or

(2)  any entity that owns, controls, is owned or controlled by, is under common ownership with, or is a successor to an entity described by Subdivision (1).

(c)  An airport infrastructure or equipment contract for goods or services entered into by a local government or a person operating an airport on behalf of a local government must contain a written statement by the entity with which the local government or person is contracting verifying that the entity is not an entity described by Subsection (b)(1) or (2).

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, 2021.