By:  Bernal H.B. No. 4942

A BILL TO BE ENTITLED

AN ACT

relating to the amount of an expenditure made by a municipality for which competitive bidding is required.

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

SECTION 1.  Section 252.021(a), Local Government Code, is amended to read as follows:

(a)  Before a municipality may enter into a contract that requires an expenditure of more than $100,000 [~~$50,000~~] from one or more municipal funds, the municipality must:

(1)  comply with the procedure prescribed by this subchapter and Subchapter C for competitive sealed bidding or competitive sealed proposals;

(2)  use the reverse auction procedure, as defined by Section 2155.062(d), Government Code, for purchasing; or

(3)  comply with a method described by Chapter 2269, Government Code.

SECTION 2.  Section 252.0215, Local Government Code, is amended to read as follows:

Sec. 252.0215.  COMPETITIVE BIDDING IN RELATION TO HISTORICALLY UNDERUTILIZED BUSINESS. A municipality, in making an expenditure of more than $10,000 [~~$3,000~~] but less than $100,000 [~~$50,000~~], shall contact at least two historically underutilized businesses on a rotating basis, based on information provided by the comptroller pursuant to Chapter 2161, Government Code. If the list fails to identify a historically underutilized business in the county in which the municipality is situated, the municipality is exempt from this section.

SECTION 3.  The changes in law made by this Act apply only to a purchase made on or after the effective date of this Act. A purchase made before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4.  This Act takes effect September 1, 2023.