

1-1 By: Capriglione (Senate Sponsor - Hancock) H.B. No. 1817
 1-2 (In the Senate - Received from the House May 3, 2023;
 1-3 May 5, 2023, read first time and referred to Committee on State
 1-4 Affairs; May 16, 2023, reported favorably by the following vote:
 1-5 Yeas 11, Nays 0; May 16, 2023, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | X | | | |
| 1-9 | X | | | |
| 1-10 | X | | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | X | | | |
| 1-14 | X | | | |
| 1-15 | X | | | |
| 1-16 | X | | | |
| 1-17 | X | | | |
| 1-18 | X | | | |

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the validity of a contract for which a disclosure of
 1-22 interested parties is required.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 2252.908, Government Code, is amended by
 1-25 adding Subsection (f-1) to read as follows:

1-26 (f-1) A contract described by Subsection (b) entered into by
 1-27 a governmental entity or state agency is voidable for failure to
 1-28 provide the disclosure of interested parties required by this
 1-29 section only if:

1-30 (1) the governmental entity or state agency submits to
 1-31 the business entity written notice of the business entity's failure
 1-32 to provide the required disclosure; and

1-33 (2) the business entity fails to submit to the
 1-34 governmental entity or state agency the required disclosure on or
 1-35 before the 10th business day after the date the business entity
 1-36 receives the written notice under Subdivision (1).

1-37 SECTION 2. A court in which a suit challenging the validity
 1-38 of a contract described by Section 2252.908(b), Government Code, is
 1-39 pending on the effective date of this Act may require the
 1-40 governmental entity or state agency to provide the written notice
 1-41 required under Section 2252.908(f-1), Government Code, as added by
 1-42 this Act, if the court finds that failure to enforce that
 1-43 requirement would cause an inequitable or unjust result for the
 1-44 parties to the suit.

1-45 SECTION 3. A contract described by Section 2252.908(b),
 1-46 Government Code, that was executed before the effective date of
 1-47 this Act is presumed to have been properly executed in accordance
 1-48 with Section 2252.908, Government Code, if an action to void or
 1-49 invalidate the contract has not been filed with a court in this
 1-50 state before the effective date of this Act.

1-51 SECTION 4. This Act takes effect immediately if it receives
 1-52 a vote of two-thirds of all the members elected to each house, as
 1-53 provided by Section 39, Article III, Texas Constitution. If this
 1-54 Act does not receive the vote necessary for immediate effect, this
 1-55 Act takes effect September 1, 2023.

1-56 * * * * *