

By: Harris of Williamson

H.B. No. 2977

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the awarding of contracts by the Texas Department of  
3 Transportation for certain materials used in road construction  
4 projects.

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

6 SECTION 1. Subchapter B, Chapter 223, Transportation Code,  
7 is amended by adding Section 223.0471 to read as follows:

8 Sec. 223.0471. PROHIBITED PREFERENCE FOR CERTAIN BIDS BASED  
9 ON USE OF ENVIRONMENTAL, SOCIAL, AND GOVERNANCE CRITERIA FOR  
10 MATERIAL SELECTION. In comparing bids for materials to be used in a  
11 project to which this chapter applies, the department may not give a  
12 preference to a bid that proposes using certain materials based on  
13 environmental, social, and governance criteria, including carbon  
14 emission criteria, if the proposed materials are less cost  
15 effective or durable than alternative materials for the same  
16 project.

17 SECTION 2. This Act takes effect September 1, 2023.