

BILL ANALYSIS

C.S.H.B. 223
By: Capriglione
Intergovernmental Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

When municipalities hire a contractor to build a road, provide legal counsel, or deliver public services, they are required by law to go through a competitive bidding process that ensures the best price, the best qualifications, and the best deal for the taxpayer. However, current law exempts a procurement for personal, professional, or planning services, which may include lobbying contracts, from the competitive bidding process requirements. The bill author has informed the committee that as a result, these contracts, which are often worth significant sums of public money, can be awarded without proper oversight, without open competition, and without ensuring taxpayers get the best value for their hard-earned dollars and thus run a risk that the contracts will be awarded based on who you know, not what you know, allowing municipalities to circumvent the very safeguards designed to prevent conflicts of interest, favoritism, and wasteful spending.

C.S.H.B. 223 seeks to hold municipal governments accountable and promote fiscal responsibility by subjecting lobbying, government relations, or similar services to the same competitive bidding process as other contracts.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 223 amends the Local Government Code to establish that a procurement for lobbying, government relations, or similar services intended to influence state or federal lawmakers on behalf of a municipality is not exempt from competitive bidding or competitive proposal requirements applicable to certain municipal expenditures. The bill's provisions apply only to a contract for procurement made on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

C.S.H.B. 223 differs from the introduced in minor or nonsubstantive ways by conforming to certain bill drafting conventions.