

1-1 By: Capriglione, et al. (Senate Sponsor - Middleton) H.B. No. 223
1-2 (In the Senate - Received from the House May 7, 2025;
1-3 May 8, 2025, read first time and referred to Committee on State
1-4 Affairs; May 23, 2025, reported favorably by the following vote:
1-5 Yeas 9, Nays 1; May 23, 2025, sent to printer.)

1-6	COMMITTEE VOTE				
1-7		Yea	Nay	Absent	PNV
1-8	Hughes	X			
1-9	Paxton	X			
1-10	Bettencourt	X			
1-11	Birdwell	X			
1-12	Hall	X			
1-13	Hinojosa of Nueces	X			
1-14	Middleton	X			
1-15	Parker	X			
1-16	Perry			X	
1-17	Schwertner	X			
1-18	Zaffirini		X		

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

1-21 relating to competitive requirements for a procurement by a
1-22 municipality for lobbying, government relations, or similar
1-23 services.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-25 SECTION 1. Section 252.022(a), Local Government Code, is
1-26 amended to read as follows:

1-27 (a) This chapter does not apply to an expenditure for:

1-28 (1) a procurement made because of a public calamity
1-29 that requires the immediate appropriation of money to relieve the
1-30 necessity of the municipality's residents or to preserve the
1-31 property of the municipality;

1-32 (2) a procurement necessary to preserve or protect the
1-33 public health or safety of the municipality's residents;

1-34 (3) a procurement necessary because of unforeseen
1-35 damage to public machinery, equipment, or other property;

1-36 (4) a procurement for personal, professional, or
1-37 planning services, other than lobbying, government relations, or
1-38 similar services intended to influence state or federal lawmakers
1-39 on behalf of a municipality;

1-40 (5) a procurement for work that is performed and paid
1-41 for by the day as the work progresses;

1-42 (6) a purchase of land or a right-of-way;

1-43 (7) a procurement of items that are available from
1-44 only one source, including:

1-45 (A) items that are available from only one source
1-46 because of patents, copyrights, secret processes, or natural
1-47 monopolies;

1-48 (B) films, manuscripts, or books;

1-49 (C) gas, water, and other utility services;

1-50 (D) captive replacement parts or components for
1-51 equipment;

1-52 (E) books, papers, and other library materials
1-53 for a public library that are available only from the persons
1-54 holding exclusive distribution rights to the materials; and

1-55 (F) management services provided by a nonprofit
1-56 organization to a municipal museum, park, zoo, or other facility to
1-57 which the organization has provided significant financial or other
1-58 benefits;

1-59 (8) a purchase of rare books, papers, and other
1-60 library materials for a public library;

1-61 (9) paving drainage, street widening, and other public

2-1 improvements, or related matters, if at least one-third of the cost
 2-2 is to be paid by or through special assessments levied on property
 2-3 that will benefit from the improvements;
 2-4 (10) a public improvement project, already in
 2-5 progress, authorized by the voters of the municipality, for which
 2-6 there is a deficiency of funds for completing the project in
 2-7 accordance with the plans and purposes authorized by the voters;
 2-8 (11) a payment under a contract by which a developer
 2-9 participates in the construction of a public improvement as
 2-10 provided by Subchapter C, Chapter 212;
 2-11 (12) personal property sold:
 2-12 (A) at an auction by a state licensed auctioneer;
 2-13 (B) at a going out of business sale held in
 2-14 compliance with Subchapter F, Chapter 17, Business & Commerce Code;
 2-15 (C) by a political subdivision of this state, a
 2-16 state agency of this state, or an entity of the federal government;
 2-17 or
 2-18 (D) under an interlocal contract for cooperative
 2-19 purchasing administered by a regional planning commission
 2-20 established under Chapter 391;
 2-21 (13) services performed by blind or severely disabled
 2-22 persons;
 2-23 (14) goods purchased by a municipality for subsequent
 2-24 retail sale by the municipality;
 2-25 (15) electricity; or
 2-26 (16) advertising, other than legal notices.
 2-27 SECTION 2. Section 252.022(a), Local Government Code, as
 2-28 amended by this Act, applies only to a contract for procurement made
 2-29 on or after the effective date of this Act.
 2-30 SECTION 3. This Act takes effect September 1, 2025.

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