

By: Harris Davila

H.B. No. 408

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, 2025.