

By: Curry

H.B. No. 4747

A BILL TO BE ENTITLED

AN ACT

Relating to increasing procurement acquisition thresholds.

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

SECTION 1. The heading to Section 2155.083, Government Code, is amended to read as follows:

Sec. 2155.083. ELECTRONIC STATE BUSINESS DAILY; NOTICE REGARDING PROCUREMENTS EXCEEDING \$100,000 [~~\$25,000~~].

SECTION 2. Section 2155.083, Government Code, is amended by amending Subsections (a), (g) and (k) and adding Subsection (h-1) to read as follows:

Sec. 2155.083. ELECTRONIC STATE BUSINESS DAILY; NOTICE REGARDING PROCUREMENTS EXCEEDING \$100,000 [~~\$25,000~~]. (a) Except as provided by Subsection (n), this section applies to each state agency making a procurement that will exceed \$100,000 [~~\$25,000~~] in value, without regard to the source of funds the agency will use for the procurement, including a procurement that:

(1) is otherwise exempt from the comptroller's purchasing authority or the application of this subtitle;

(2) is made under delegated purchasing authority;

(3) is related to a construction project; or

(4) is a procurement of professional or consulting services.

(g) A state agency shall post in the electronic state business daily either the entire bid or proposal solicitation

1 package or a notice that includes all information necessary to make  
2 a successful bid, proposal, or other applicable expression of  
3 interest for the procurement contract, including at a minimum the  
4 following information for each procurement that the state agency  
5 will make that is estimated to exceed \$100,000 [~~\$25,000~~] in value:

6 (1) a brief description of the goods or services to be  
7 procured and any applicable state product or service codes for the  
8 goods and services;

9 (2) the last date on which bids, proposals, or other  
10 applicable expressions of interest will be accepted;

11 (3) the estimated quantity of goods or services to be  
12 procured;

13 (4) if applicable, the previous price paid by the  
14 state agency for the same or similar goods or services;

15 (5) the estimated date on which the goods or services  
16 to be procured will be needed; and

17 (6) the name, business mailing address, business  
18 e-mail address, and business telephone number of the state agency  
19 employee a person may contact to inquire about all necessary  
20 information related to making a bid or proposal or other applicable  
21 expression of interest for the procurement contract.

22 (h-1) Notwithstanding Subsection (h), if a procurement  
23 exceeds the amount of \$20 million, the state agency shall post  
24 notice of the procurement in accordance with Subsection (g) for at  
25 least 45 days, regardless of whether the agency posts a notice of  
26 the procurement or the entire bid or proposal solicitation package.  
27 This subsection does not apply to a procurement for:

1           (1) a contract entered into by the comptroller under  
2 Section 2155.061 or Section 2155.0621; or

3           (2) a contract for services necessary to respond to a  
4 natural disaster.

5           (k) Each state agency that will award a procurement contract  
6 estimated to exceed \$100,000 [~~\$25,000~~] in value shall post in the  
7 electronic state business daily:

8           (1) the information required by this section to be  
9 posted in the electronic state business daily; and

10           (2) a notice when the procurement contract has been  
11 awarded or when the state agency has decided to not make the  
12 procurement.

13           SECTION 3. Section 2155.132, Government Code, is amended by  
14 amending Subsections (a) and (b) to read as follows:

15           (a) A state agency is delegated the authority to purchase  
16 goods and services if the purchase does not exceed \$100,000  
17 [~~\$50,000~~]. If the comptroller determines that a state agency has  
18 not followed the comptroller's rules or the laws related to the  
19 delegated purchases, the comptroller shall report its  
20 determination to the members of the state agency's governing body  
21 and to the governor, lieutenant governor, speaker of the house of  
22 representatives, and Legislative Budget Board.

23           (b) The comptroller by rule may delegate to a state agency  
24 the authority to purchase goods and services if the purchase  
25 exceeds \$100,000 [~~\$50,000~~]. In delegating purchasing authority  
26 under this subsection or Section 2155.131, the comptroller shall  
27 consider factors relevant to a state agency's ability to perform

1 purchasing functions, including:

2 (1) the capabilities of the agency's purchasing staff  
3 and the existence of automated purchasing tools at the agency;

4 (2) the certification levels held by the agency's  
5 purchasing personnel;

6 (3) the results of the comptroller's procurement  
7 review audits of an agency's purchasing practices; and

8 (4) whether the agency has adopted and published  
9 protest procedures consistent with those of the comptroller as part  
10 of its purchasing rules.

11 SECTION 4. The heading to Section [2155.509](#), Government  
12 Code, is amended to read as follows:

13 NOTICE REGARDING PROCUREMENTS EXCEEDING [~~\$25,000~~] \$100,000.

14 SECTION 5. This Act takes effect September 1, 2025.