

SENATE AMENDMENTS
2nd Printing

By: Capriglione, Tepper, Spiller, Alders, H.B. No. 223
et al.

A BILL TO BE ENTITLED

1 AN ACT
2 relating to competitive requirements for a procurement by a
3 municipality for lobbying, government relations, or similar
4 services.

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

6 SECTION 1. Section 252.022(a), Local Government Code, is
7 amended to read as follows:

8 (a) This chapter does not apply to an expenditure for:

9 (1) a procurement made because of a public calamity
10 that requires the immediate appropriation of money to relieve the
11 necessity of the municipality's residents or to preserve the
12 property of the municipality;

13 (2) a procurement necessary to preserve or protect the
14 public health or safety of the municipality's residents;

15 (3) a procurement necessary because of unforeseen
16 damage to public machinery, equipment, or other property;

17 (4) a procurement for personal, professional, or
18 planning services, other than lobbying, government relations, or
19 similar services intended to influence state or federal lawmakers
20 on behalf of a municipality;

21 (5) a procurement for work that is performed and paid
22 for by the day as the work progresses;

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

24 (7) a procurement of items that are available from

1 only one source, including:

2 (A) items that are available from only one source
3 because of patents, copyrights, secret processes, or natural
4 monopolies;

5 (B) films, manuscripts, or books;

6 (C) gas, water, and other utility services;

7 (D) captive replacement parts or components for
8 equipment;

9 (E) books, papers, and other library materials
10 for a public library that are available only from the persons
11 holding exclusive distribution rights to the materials; and

12 (F) management services provided by a nonprofit
13 organization to a municipal museum, park, zoo, or other facility to
14 which the organization has provided significant financial or other
15 benefits;

16 (8) a purchase of rare books, papers, and other
17 library materials for a public library;

18 (9) paving drainage, street widening, and other public
19 improvements, or related matters, if at least one-third of the cost
20 is to be paid by or through special assessments levied on property
21 that will benefit from the improvements;

22 (10) a public improvement project, already in
23 progress, authorized by the voters of the municipality, for which
24 there is a deficiency of funds for completing the project in
25 accordance with the plans and purposes authorized by the voters;

26 (11) a payment under a contract by which a developer
27 participates in the construction of a public improvement as

1 provided by Subchapter C, Chapter 212;

2 (12) personal property sold:

3 (A) at an auction by a state licensed auctioneer;

4 (B) at a going out of business sale held in
5 compliance with Subchapter F, Chapter 17, Business & Commerce Code;

6 (C) by a political subdivision of this state, a
7 state agency of this state, or an entity of the federal government;
8 or

9 (D) under an interlocal contract for cooperative
10 purchasing administered by a regional planning commission
11 established under Chapter 391;

12 (13) services performed by blind or severely disabled
13 persons;

14 (14) goods purchased by a municipality for subsequent
15 retail sale by the municipality;

16 (15) electricity; or

17 (16) advertising, other than legal notices.

18 SECTION 2. Section 252.022(a), Local Government Code, as
19 amended by this Act, applies only to a contract for procurement made
20 on or after the effective date of this Act.

21 SECTION 3. This Act takes effect September 1, 2025.

ADOPTED

MAY 26 2025

Latey Law
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *Mayer Middleton*

1 Amend H.B. No. 223 (senate committee report), in amended
2 Section 252.022(a), Local Government Code (page 1, line 38),
3 between "to" and "influence" by adding "directly or indirectly".

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 28, 2025

TO: Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB223 by Capriglione (Relating to competitive requirements for a procurement by a municipality for lobbying, government relations, or similar services.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, WP, SZ, BC, CWi

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 21, 2025

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB223 by Capriglione (Relating to competitive requirements for a procurement by a municipality for lobbying, government relations, or similar services.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, WP, SZ, BC, CWi

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 10, 2025

TO: Honorable Cecil Bell, Chair, House Committee on Intergovernmental Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB223** by Capriglione (relating to competitive requirements for a procurement by a municipality for lobbying, government relations, or similar services.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, SZ, BC, CWi

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

March 13, 2025

TO: Honorable Cecil Bell, Chair, House Committee on Intergovernmental Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB223 by Capriglione (Relating to exemptions to competitive requirements for purchases of certain services by a municipality.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, SZ, BC,