

By: Bernal

H.B. No. 3193

A BILL TO BE ENTITLED

AN ACT

1
2 relating to consideration of location of a bidder's or offeror's
3 principal place of business in awarding certain municipal
4 contracts.

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

6 SECTION 1. Section 271.905, Local Government Code, is
7 amended by adding Subsection (d) to read as follows:

8 (d) For the purpose of this section, if a local government
9 is a municipality, the municipality may treat a bidder whose
10 principal place of business is outside the municipality and in a
11 county in which the municipality is located in the same manner as a
12 bidder whose principal place of business is in the municipality.

13 SECTION 2. Section 271.9051, Local Government Code, is
14 amended by adding Subsection (e) to read as follows:

15 (e) For the purpose of this section, a municipality may
16 treat a bidder whose principal place of business is outside the
17 municipality and in a county in which the municipality is located in
18 the same manner as a bidder whose principal place of business is in
19 the municipality.

20 SECTION 3. Subchapter Z, Chapter 271, Local Government
21 Code, is amended by adding Section 271.9052 to read as follows:

22 Sec. 271.9052. CONSIDERATION OF LOCATION OF OFFEROR'S
23 PRINCIPAL PLACE OF BUSINESS IN AWARDING CERTAIN MUNICIPAL
24 CONTRACTS. (a) In purchasing as authorized under this title any

1 personal property that is not affixed to real property or services
2 other than professional services, if a municipality that solicits
3 requests for proposals receives one or more proposals from an
4 offeror whose principal place of business is in the municipality or
5 outside the municipality and in a county in which the municipality
6 is located, the municipality may consider, as a percentage of the
7 evaluation factors, an offeror's principal place of business.

8 (b) This section does not prohibit a municipality from
9 rejecting all proposals.

10 (c) For the purpose of this section, a municipality may
11 treat an offeror whose principal place of business is outside the
12 municipality and in a county in which the municipality is located in
13 the same manner as an offeror whose principal place of business is
14 in the municipality.

15 SECTION 4. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2015.