

1-1 By: Zaffirini S.B. No. 1793  
1-2 (In the Senate - Filed March 7, 2019; March 18, 2019, read  
1-3 first time and referred to Committee on Business & Commerce;  
1-4 April 24, 2019, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; April 24, 2019, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	Hancock	X		
1-9	Nichols	X		
1-10	Campbell	X		
1-11	Creighton	X		
1-12	Menéndez	X		
1-13	Paxton	X		
1-14	Schwertner	X		
1-15	Whitmire	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to purchasing and contracting by governmental entities;  
1-20 authorizing fees.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section [2155.510](#), Government Code, is amended to  
1-23 read as follows:

1-24 Sec. 2155.510. REBATES. (a) The comptroller ~~[commission]~~  
1-25 may collect a rebate from a vendor under a contract listed on a  
1-26 schedule developed under this subchapter.

1-27 (b) The comptroller shall notify a state agency purchasing a  
1-28 good or service through a contract listed on a schedule developed  
1-29 under this subchapter of the percentage used to calculate the  
1-30 rebate authorized under Subsection (a) [If a purchase resulting in  
1-31 a rebate under this section is made in whole or in part with federal  
1-32 funds, the commission shall ensure that, to the extent the purchase  
1-33 was made with federal funds, the appropriate portion of the rebate  
1-34 is reported to the purchasing agency for reporting and  
1-35 reconciliation purposes with the appropriate federal funding  
1-36 agency].

1-37 SECTION 2. Section [2171.055](#), Government Code, is amended by  
1-38 adding Subsections (k) and (l) to read as follows:

1-39 (k) An officer or employee of a local workforce development  
1-40 board who is engaged in official board business may participate in  
1-41 the comptroller's contract for travel services. The comptroller  
1-42 may charge a participating board a fee not to exceed the costs  
1-43 incurred by the comptroller in providing services under this  
1-44 subsection. The comptroller shall periodically review the fees and  
1-45 adjust the fees as necessary to ensure recovery of costs incurred in  
1-46 providing services to a local workforce development board under  
1-47 this subsection. In this subsection, "local workforce development  
1-48 board" means a local workforce development board created under  
1-49 Chapter [2308](#).

1-50 (l) An officer or employee of a governmental entity who is  
1-51 engaged in official business of the governmental entity may  
1-52 participate in the comptroller's contract for travel services. The  
1-53 comptroller may charge a participating governmental entity a fee  
1-54 not to exceed the costs incurred by the comptroller in providing  
1-55 services under this subsection. The comptroller shall periodically  
1-56 review the fees and adjust the fees as necessary to ensure recovery  
1-57 of costs incurred in providing services to governmental entities  
1-58 under this subsection. This subsection applies only to a  
1-59 governmental entity that is a party to a compact, interagency  
1-60 agreement, or cooperative purchasing agreement under Section  
1-61 [2156.181](#).

SECTION 3. Section 2252.002, Government Code, as amended by Chapters 1127 (H.B. 1050) and 1404 (H.B. 3648), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted to read as follows:

Sec. 2252.002. AWARD OF CONTRACT TO NONRESIDENT BIDDER. A governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the greater of the following:

(1) the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located; or

(2) the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which a majority of the manufacturing relating to the contract will be performed.

SECTION 4. Section 2262.004, Government Code, is amended by adding Subsection (e) to read as follows:

(e) This section does not apply to an attorney who:

(1) holds a license to practice law in this state; and

(2) has not been disciplined by the State Bar of Texas for a violation of the Texas Disciplinary Rules of Professional Conduct.

SECTION 5. This Act takes effect September 1, 2019.

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