

1-1 By: Bettencourt S.B. No. 2046
 1-2 (In the Senate - Filed March 7, 2025; March 17, 2025, read
 1-3 first time and referred to Committee on Local Government;
 1-4 April 10, 2025, reported favorably by the following vote: Yeas 4,
 1-5 Nays 1; April 10, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Middleton	X			
1-9 Cook		X		
1-10 Gutierrez			X	
1-11 Nichols			X	
1-12 Paxton	X			
1-13 West	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to penalties for certain offenses involving county
 1-18 competitive bidding requirements; increasing criminal penalties.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 262.034, Local Government Code, is
 1-21 amended to read as follows:

1-22 Sec. 262.034. CRIMINAL PENALTIES. (a) A county officer or
 1-23 employee commits an offense if the officer or employee
 1-24 intentionally or knowingly makes or authorizes separate,
 1-25 sequential, or component purchases to avoid the competitive bidding
 1-26 requirements of Section 262.023. An offense under this subsection
 1-27 is a Class A [~~B~~] misdemeanor, except that the offense is:

1-28 (1) a state jail felony if the purchases have an
 1-29 aggregated value of over \$1 million but less than \$5 million; and

1-30 (2) a felony of the third degree if the purchases have
 1-31 an aggregated value of \$5 million or more.

1-32 (b) [~~c~~] A county officer or employee commits an offense if
 1-33 the officer or employee intentionally or knowingly violates this
 1-34 subchapter, other than by conduct described by Subsection (a). An
 1-35 offense under this subsection is a Class B [~~C~~] misdemeanor, except
 1-36 that the offense is:

1-37 (1) a Class A misdemeanor if the conduct involves a
 1-38 contract that has a value of over \$1 million but less than \$5
 1-39 million; and

1-40 (2) a state jail felony if the conduct involves a
 1-41 contract that has a value of \$5 million or more.

1-42 SECTION 2. The changes in law made by this Act apply only to
 1-43 an offense committed on or after the effective date of this Act. An
 1-44 offense committed before the effective date of this Act is governed
 1-45 by the law in effect on the date the offense was committed, and the
 1-46 former law is continued in effect for that purpose. For purposes of
 1-47 this section, an offense was committed before the effective date of
 1-48 this Act if any element of the offense occurred before that date.

1-49 SECTION 3. This Act takes effect September 1, 2025.

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