

By: Rodríguez, West

S.B. No. 408

A BILL TO BE ENTITLED

1 AN ACT

2 relating to consideration of a bidder's principal place of business
3 in awarding certain county contracts.

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

5 SECTION 1. The heading to Section [271.9051](#), Local
6 Government Code, is amended to read as follows:

7 Sec. 271.9051. CONSIDERATION OF LOCATION OF BIDDER'S
8 PRINCIPAL PLACE OF BUSINESS IN CERTAIN MUNICIPALITIES AND COUNTIES.

9 SECTION 2. Sections 271.9051(a), (b), and (c), Local
10 Government Code, are amended to read as follows:

11 (a) This section applies only to a municipality or county
12 that is authorized under this title to purchase real property or
13 personal property that is not affixed to real property.

14 (b) In purchasing under this title any real property,
15 personal property that is not affixed to real property, or
16 services, if a municipality or county receives one or more
17 competitive sealed bids from a bidder whose principal place of
18 business is in the municipality or county and whose bid is within
19 five percent of the lowest bid price received by the municipality or
20 county from a bidder who is not a resident of the municipality or
21 county, the municipality or county may enter into a contract for
22 construction services in an amount of less than \$100,000 or a
23 contract for other purchases in an amount of less than \$500,000
24 with:

10 (c) This section does not prohibit a municipality or county
11 from rejecting all bids.

12 SECTION 3. The change in law made by this Act applies only
13 to a contract for which the initial notice soliciting bids is given
14 on or after the effective date of this Act. A contract for which the
15 initial notice soliciting bids is given before the effective date
16 of this Act is governed by the law in effect when the initial notice
17 is given, and the former law is continued in effect for that
18 purpose.

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