

**Texas Public Purchasing Association  
LEGISLATION TRACKING REPORT  
82nd Legislative Regular Session**

**Updated: June 17, 2011**

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The TxPPA Legislative Committee tracks bills that will impact public purchasing and supply professionals and keeps the TxPPA members informed. If you see or hear of bills that will impact public purchasing, please email or call one of the individuals above. As a group, we can help educate our legislators on issues that will shape our professional future.

**Action dates**

Monday, November 8, 2010.....Pre-filing began  
 Tuesday, January 11, 2011 noon .....82nd session began  
 March 11, 2011 .....Filing ended  
 Monday, May 20, 2011 .....Last day of regular session  
 Sunday, June 19, 2011 .....Last day governor can sign or veto  
 Monday, Aug. 29, 2011 midnight .....Date bills without specific action dates become law

**TxPPA Legislative Initiative Bills (see Items 1 and 2 below):**

**1. Raising cities to the \$50k change order limit.**

**HB 679      SB 1558      50K change order limit for cities**

Who is affected?	City	County	School	State	Other
	X				X
<b>Impact</b>	<b>Several statutes – brings cities to a 50K change order limit, matching the county amount</b>				
<b>Pros/Cons</b>	<b>Pro: Uniformity between laws; efficiency</b>				
<b>Action Date</b>	Filed 1/14/11 by Button; 2/21/11 Read 1 <sup>st</sup> time; 2/21/11 Referred to Government Efficiency & Reform; 3/10/11 Public Hearing; 3/10/11 Left pending in Committee; 3/24/11 Sent to Local & Consent 3/24/11 Voted favorably w/o/a – on to the Senate; 4/7/11 Laid out for House consideration & passed House (Vote Y:144 / N: 0) 4/11/11 Received in Senate 4/14/11 Read 1 <sup>st</sup> time/referred to Intergovernmental Relations 4/27/11 TxPPA sent letter of support; 5/4/11 Considered in public hearing/reported favorably w/o/a; 5/6/11 Received in Local & Uncontested calendar; 5/17/11 Laid before Senate/3 day rule suspended, toted, passed; 5/18/11 Report enrolled; 5/19/11 Signed by Senate; 5/20/11 Sent to Governor				

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**2. Allowing entities with a website to advertise once in the newspaper and continuously on the website for 14 days prior to the bid opening on the website.**

<b>HB 507 SB Change in advertising requirements.</b>	
Who is affected?	City X County X School X State Other X
Impact	44.031, 252.041, 262.025, 263.153, 271.025 advertise once in newspaper IF have website – on website 14 consecutive days before opening.
Pros/Cons	Pro: Saves money, equally effective
Action Date	Filed 1/4/11 by Button; 2/17/11 Read 1 <sup>st</sup> time; 2/17/11 Referred to Technology; 3/17/11 Public Hearing; 3/17/11 Left Pending in committee 4/7/11 Button’s staff added brackets to the bill (cities, counties, districts with population of 1,000,000) in an effort to gain successful bill passage. 4/14/11 Public hearing/substitute considered/substitute reported favorably; 4/21/11 Committee report filed/ distributed; 4/26/11 Committee report sent to Calendars

*The following bills will also be monitored by TXPPA in an effort to fight unfavorable purchasing-related legislation and to support favorable legislation.*

**HOUSE BILLS**

<b>HJR 44 Allowing Counties to adopt a charter</b>	
Who is affected?	City County X School State Other
Impact	This is included just because I thought county purchasing agents would want to know. Also see HB 431
Pros/Cons	
Action Date	We will not be tracking this bill.

<b>HB 76 State Agency exemption to procurement law</b>	
Who is affected?	City County School State X Other
Impact	State law enforcement function exempt from purchasing laws if such law would negatively impact homeland security.
Pros/Cons	
Action Date	Filed 11/8/2010 by Flynn; 2/9/11 Read 1 <sup>st</sup> time; 2/9/11 Referred to State Affairs; 3/2/11 Left Pending in Committee; 3/9/11 Considered in formal meeting; 3/9/11 Substitute considered; 3/9/11 Left pending in Committee; 4/5/11 Considered in formal meeting w/ substitute report – favorably; 4/14/11 Committee report sent to calendars



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**HB 202**

**E-Verify**

Who is affected?	City	County	School	State <b>X</b>	Other
Impact	State contractors required to participate in E-Verify				
Pros/Cons					
Action Date	Filed 11/8/2010 by Solomons; 2/14/11 Read 1 <sup>st</sup> time; 2/14/11 Referred to State Affairs; 4/13/11 Public hearing/testimony taken/ left pending in committee				

**HB 209**

**Providing Internet Access in Certain Public Libraries**

Who is affected?	City <b>X</b>	County <b>X</b>	School	State <b>X</b>	Other <b>?</b>
Impact	Any public library with service area of over 50,555 residents, that receives grant funds, to provide high-speed internet service on all public access computers				
Pros/Cons					
Action Date	Filed 11/8/2010 by Alonzo; 2/14/11 Read 1 <sup>st</sup> time; 2/14/11 Referred to Technology; 3/24/11 Scheduled for Public Hearing				

**HB 431**

**Bexar County Charter**

Who is affected?	City	County <b>Bexar</b>	School	State	Other
Impact	This is included for other county purchasing agents to know. Also see HJB 44				
Pros/Cons					
Action Date	Filed 12/14/10 by Larson <b>We will not be tracking this bill.</b>				

**HB 495**

**Water Utility Contracts**

Who is affected?	City <b>X</b>	County <b>X</b>	School	State <b>X</b>	Other <b>X</b>
Impact	Relating to competitive bids for water utilities contracts under Water Code Chapter 13				
Pros/Cons					
Action Date	Filed 1/3/11 by Dutton; 2/17/11 Read 1 <sup>st</sup> time; 2/17/11 Referred to Natural Resources; 3/22/11 Public hearing scheduled; 3/22/11 Left pending in committee				

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**HB 497 Exempting School Districts from 2254**

Who is affected?	City	County	School <b>X</b>	State	Other
Impact	This would exempt school districts from 2254 Professional Services requirement. <b>Should we try to join on this bill?</b>				
Pros/Cons					
Action Date	Filed 1/3/11 by Dutton; 2/17/11 Read 1 <sup>st</sup> time; 2/17/11 Referred to Public Education				

**HB 611 SB 829 A&E Services for Governmental Entities**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Not a purchasing issue, but engineering departments should know. Entity may NOT provide, through its officers or employees, a commercially available service for an improvement to real property that is NOT owned or leased by the entity.				
Pros/Cons					
Action Date	Filed 1/2/11 by Murphy; 2/21/11 Referred to Government Efficiency & Reform; 3/10/11 Public Hearing; 3/10/11 Left pending in Committee; 3/30/11 Substitute voted favorably in meeting; 4/6/11 Committee report distributed; 4/7/11 Report sent to calendars; 4/20/11 Committee report distributed/sent to Calendars; 5/3/11 Considered in Calendars				

**HB 628 Redraft of 271 H/J and Education Code 44**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State	Other <b>X</b>
Impact	This appears to be a consolidation of various statues to Government Code Chapter 2267.				
Pros/Cons	Con: This is not considered favorable to our interest. Synopsis at the end of this report. Not good for cooperative agreements, job order contracting and various other issues.				
Action Date	Filed 1/12/11 by Callegari; 2/21/11 Read 1 <sup>st</sup> time; 2/21/11 Referred to Government Efficiency & Reform; 3/3/11 Public Hearing-Left Pending in Committee; 4/11/11 Formal meeting/substitute considered/voted favorably as substituted; 4/26/11 Committee Report distributed/sent to Calendars 93 PAGE AMENDMENT; 5/4/11 Considered in Calendars; 5/6/11 Placed on General State Calendar; 5/11/11 Amended times; 5/12/11 Amended again-passed-reported engrossed; 5/13/11 Received in Senate; 5/16/11 Read 1 <sup>st</sup> time/Referred to State Affairs; 5/19/11 Public hearing/no action taken; 5/20/11 Posting rule suspended/public hearing/no action; 5/21/11 Public hearing/voted favorably w/o amendments, committee report printed; 5/30/11 Signed by House and Senate; <b>5/30/11 Sent to Governor</b>				

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**HB 668**

**Vehicle Storage**

Who is affected?	City <b>X</b>	County <b>X</b>	School	State <b>X</b>	Other <b>?</b>
Impact	Shortens the time to consider a vehicle abandoned.				
Pros/Cons					
Action Date	Filed 1/14/11 by Brown; 2/21/11 Read 1 <sup>st</sup> time; 2/21/11 Referred to Licensing and Admin Procedures				

**HB 800**

**Relating to an interlocal contract between a governmental entity and a purchasing cooperative for roofing materials/svcs**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>?</b>
Impact	Would not be able to purchase roofing services or materials from cooperative groups				
Pros/Cons	This would not be good.				
Action Date	Filed 3/10/11 by Anderson; 3/14/11 Read 1 <sup>st</sup> time; 3/14/11 Referred to Government Efficiency & Reform; 3/21/11 TxPPA sent opposition letter; 3/24/11 Public Hearing; 3/24/11 TxPPA testified in opposition; 3/24/11 Left pending in Committee; 4/14/11 Public hearing/substitute considered/reported favorably as substituted; 4/21/11 Committee report filed/distributed; 4/26/11 Committee report sent to Calendars; 5/9/11 Considered in Calendars; 5/12/11 Read 2 <sup>nd</sup> time; 5/13/11 Point of order overruled and sustained				

**HB 878**

**Governmental entities & employers in a Federal work authorization verification program; Establishing unlawful employment practice**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Adding Chapter 619 to the Government Code				
Pros/Cons	All agencies must utilize a federally approved verification system (such as e-Verify) to verify the legal status of new employees				
Action Date	Filed 1/25/11 by Charlie Howard; 2/24/11 Read 1 <sup>st</sup> time; 2/24/11 Referred to State Affairs				

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**HB 888      SB 806      Considering ownership interest of disabled veterans in determining whether a business is a HUB by the state**

Who is affected?	City <b>X</b>	County	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Person would have to register with state to be eligible				
Pros/Cons	Con: We would not be opposed to this. See HB1851, HB1021 & HB1096 & HB888				
Action Date	1/26/11 Filed by Guillen; 2/24/11 Read 1 <sup>st</sup> time; 2/24/11 Referred to State Affairs; 3/2/11 Public hearing/left pending; 3/9/11 Considered in formal meeting; 3/9/11 Substitute considered favorable; 3/17/11 Report filed/distributed-out of House Committee; 3/21/11 Sent to Calendars; 4/11/11 Considered in calendars				

**HB 897      Automatic Renewal of Contracts**

Who is affected?	City	County	School	State	Other <b>X</b>
Impact	Disclosure of automatic renewal clauses and procedures for cancellation.				
Pros/Cons	<i>Will be interesting to watch.</i>				
Action Date	Filed on 1/26/11 by Charlie Howard; 2/24/11 Read 1 <sup>st</sup> time; 2/24/11 Referred to Business & Industry; 3/14/11 Public Hearing; 3/14/11 Left pending in Committee; 4/6/11 Substitute voted favorably; 4/11/11 Report distributed; 4/12/11 Report sent to calendars; 5/6/11 Considered in Calendars				

**HB 902      SB 1679      Bidder's principal place of business in awarding certain municipal contracts**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State	Other <b>X</b>
Impact	Municipality with population of 2 million or more to consider local preference if within 5% (less than \$100K).				
Pros/Cons	Con: We do not like preferences of any kind.				
Action Date	Filed on 1/26/11 by Thompson; 2/24/11 Read 1 <sup>st</sup> time; 2/24/11 Referred to Urban Affairs; 3/15/11 TxPPA sent letter of opposition; 3/16/11 Public Hearing; 3/30/11 Public hearing-voted favorably w/o/a; 4/6/11 Report filed; 4/7/11 Sent to calendars; 4/11/11 Considered in calendars; 4/14/11 Read 2 <sup>nd</sup> /3 <sup>rd</sup> time/ passed; 4/18/11 Received in Senate; 4/20/11 Read 1 <sup>st</sup> time/ referred to Intergovernmental Relations; 5/2/11 TxPPA sent letter of opposition				



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**HB 1283      SB 640      Bidder's principal place of business in awarding certain municipal contracts**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State	Other <b>X</b>
Impact	May award to firm with principal place of business within the city if bid is within 5% on contracts less than \$500K). Excludes construction services.				
Pros/Cons	Con: We do not like preferences of any kind.				
Action Date	Filed on 1/26/11 by Thompson; 3/1/11 Read 1 <sup>st</sup> time; 3/1/11 Referred to Urban Affairs; 3/15/11 TxPPA sent opposition letter; 3/16/11 Public Hearing; 3/16/11 Left pending in committee; 4/6/11 Considered in public hearing-substitute submitted-voted favorably; 4/19/11 Committee report distributed; 4/20/11 Report sent to Calendars; 4/26/11 Placed on Local Consent Calendar/ Read 2 <sup>nd</sup> /3 <sup>rd</sup> /passed/reported; 4/27/11 Received in Senate; 4/28/11 Read 1 <sup>st</sup> time/referred to Intergovernmental Relations; 5/2/11 TxPPA sent letter of opposition				

**HB 1390      SB 590      Retainage Under Certain Construction Contracts**

Who is affected?	City	County	School	State	Other
Impact	Amends Property Code 53				
Pros/Cons	Would affect construction contracts where retainage is involved.				
Action Date	Filed and received by Sec. of House 2/16/11 – Deshotel; 2/16/11 Filed; 3/1/11 Read 1 <sup>st</sup> time; 3/1/11 Referred to Business & Industry; 3/14/11 Scheduled for Public Hearing; 3/14/11 Left pending in committee; 3/30/11 Substitute approved/distributed; 4/5/11 Substitute report sent to calendars; 4/19/11 Considered in Calendars; 4/21/11 Placed on General State Calendar; 4/26/11 Read 2 <sup>nd</sup> /postponed; 4/29/11 Amendment offered/adopted/ engrossed; 5/2/11 Amended/passed; 5/3/11 Reported engrossed/received in Senate; 5/4/11 Read 1 <sup>st</sup> time/referred to Business & Commerce; 5/10/11 Public hearing/voted favorably w/o/a & report printed; 5/16/11 Rules suspended/read 2 <sup>nd</sup> and 3 <sup>rd</sup> time/vote recorded, 3-day rule suspended/passed; 5/19/11 Signed by Senate; 5/20/11 Sent to Governor				

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**HB 1574      SB 327      Veterans Service Organizations**

Who is affected?	City	County	School	State <b>X</b>	Other
Impact	Includes certain veteran service organizations as small businesses for purpose of state contracting				
Pros/Cons	We do not oppose.				
Action Date	Filed and received by Sec. House 2/21/11 by Garza; 3/3/11 Read 1 <sup>st</sup> time; 3/3/11 Referred to State Affairs; 4/6/11 Public hearing/ testimony/left pending in committee				

**HB 1650      Preference in governmental purchasing for building materials offered by resident bidders**

Who is affected?	City	County	School	State <b>X</b>	Other
Impact	Give preference to local bidder when purchasing building materials when all other factors are equal				
Pros/Cons	Con: Another preference bill; we do not like preferences of any kind.				
Action Date	Filed on 1/26/11 – Thompson; 3/3/11 Read 1 <sup>st</sup> time; 3/3/11 Referred to Government Efficiency & Reform; 3/15/11 TxPPA sent opposition letter; 3/17/11 Public hearing; 3/17/11 TxPPA testified in opposition; 3/17/11 Left pending in committee				

**HB 1694      SB 413      Relating to the purchasing and contracting authority of counties**

Who is affected?	City	County <b>X</b>	School	State	Other
Impact	Amends 262.002 for cooperative purchasing; 262.011 for electronic transfers for payments; 262.013 purchasing agent qualifications; 262.0225 competitive procedures.				
Pros/Cons	Counties need to review this and give feedback to TXPPA				
Action Date	Filed on 2/23/11 by Coleman; 3/3/11 Read 1 <sup>st</sup> time; 3/3/11 Referred to County Affairs; 3/24/11 Scheduled for Public Hearing; 3/31/11 Formal meeting-substitute voted favorably; 4/4/11 Substitute report distributed; 4/5/11 Sent to calendars; 4/26/11 Placed on Local Consent Calendar; 4/27/11 Reported engrossed/ Received in Senate; 4/29/11 Read 1 <sup>st</sup> time/referred to Intergovernmental Relations; 5/11/11 Public hearing/testimony taken; 5/13/11 Reported favorably w/o amendments/committee report; distributed; 5/19/11 Placed on uncontested calendar/read 2 <sup>nd</sup> & 3 <sup>rd</sup> time, 3-day rule suspended/voted/passed; 5/20/11 Signed in House & Senate; <b>5-23-11 Sent to Governor</b>				

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**HB 1851**                      **Adds disabled veterans to historically underutilized businesses & adds attorneys to the list of professional services & adds a section on joint ventures**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	There is a new section regarding joint ventures as determined by the Comptroller. Looks like this part is for state purchasing				
Pros/Cons	We do not oppose. See HB1021 & HB1096 & SB806				
Action Date	Filed on 2/25/11 by Reynolds; 3/7/11 Read 1 <sup>st</sup> time; 3/7/11 Referred to State Affairs; 3/30/11 Public hearing-substitute presented-testimony taken-left pending in committee				

**HB 1869**                      **Would remove population brackets in current law to allow any city to use the current local preference bidding statutes**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State	Other <b>X</b>
Impact	LGC Chapter 271.905				
Pros/Cons	We oppose all preference bills				
Action Date	Filed on 2/25/11–Giddings; 3/7/11 Read 1 <sup>st</sup> time; 3/7/11 Referred to State Affairs; 3/15/11 TxPPA sent opposition letter; 3/24/11 <b>Posting rule suspended</b> and bill was heard in committee!; 3/29/11 Formal meeting-reported favorably w/o/a-left pending; 3/30/11 Report filed; 4/4/11 Considered in calendars; 4/7/11 Placed on consent-read-passed vote – going to Senate; 4/11/11 Received in Senate; 4/20/11 Read 1 <sup>st</sup> time/ referred to Interlocal Relations; 5/2/11 TxPPA sent letter of opposition; 5/4/11 Public hearing/testimony taken; 5/6/11 Voted favorably w/o/a & received in Local/Uncontested calendars/report distributed; 5/17/11 <b>Placed on uncontested calendar/read 2<sup>nd</sup> &amp; 3<sup>rd</sup> time, passed-3-day rule suspended/passed; 5/18/11 Report enrolled/signed in House &amp; Senate; 5/20/11 Sent to Governor</b>				

**HB 1987**                      **Relating to workers' compensation insurance coverage for building and construction contractors.**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Section 406-096 Labor Code. Requires contractors & subs to have WC on employees but would allow contractors or subs to provide insurance thru group plan or other method satisfactory to the entity.				
Pros/Cons	Might be a good for smaller firms. We will watch this bill.				
Action Date	Filed on 3/1/11-Workman; 3/7/11 Read 1 <sup>st</sup> time; 3/7/11 Referred to State Affairs; 4/20/11 Public hearing/testimony given-left pend.				

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**HB 2010      SB 361      Relating to indemnification provisions in construction contracts for architects and engineers**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Broad form indemnification in construction contracts. Have your Risk Managers/City Attorneys look this over				
Pros/Cons	We would oppose this; looks like a bad one.				
Action Date	Filed on 3/01/11 by Smithee; 3/8/11 Read 1 <sup>st</sup> time; 3/8/11 Referred to Judiciary & Civil Jurisprudence; 4/5/11 Referred to Insurance instead of above; 4/12/11 Scheduled for public hearing/testimony/left pending in Committee				

**HB 2499      SB 664      Relating to the continuation and functions of the Department of Information Services**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Please read this over especially if you utilize DIR for technology purchases.				
Pros/Cons	Looks like a major overhaul of the department. We are supportive of DIR as a whole. We would not want to see them go away				
Action Date	Filed on 3/8/11 – Cook; 03/8/11 Read 1 <sup>st</sup> time; 03/14/11 Referred to State Affairs; 3/23/11 Scheduled for public hearing; 3/23/11 PH cancelled; 3/24/11 Public Hearing-substitute submitted-left pending; 3/29/11 Substitute voted favorably; 4/7/11 Committee report filed; 4/11/11 Report to calendars; 4/12/11 Considered in calendars; 4/13/11 Read 2 <sup>nd</sup> /3 amendments offered/2nd one tables/3rd amendment offered and passed; 4/18/11 Voted/ passed; 4/19/11 Received in Senate; 4/26/11 Read 1 <sup>st</sup> /Referred to Government Organization; 5/2/11 Public Hearing Scheduled/testimony/left pending; 5/9/11 Public hearing; 5/12/11 Voted favorably as substituted/report distributed; 5/13/11 Placed on calendar; 5/18/11 Placed on Intent calendar; 5/19/11 Rules suspended/read 2 <sup>nd</sup> time/amended 4 times, passed as amended, 3-day rule suspended, voted, passed; 5/21/11 Amendments distributed; 5/28/11 Signed in House and Senate; 5/30/11 Sent to Governor				

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**HB 2729      SB 1654      Relating to local government authority to develop public infrastructure and facilities**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State	Other <b>X</b>
Impact	LGC Chapter 271.908				
Pros/Cons	See no problems. Allows local governments to hire private entity to act as agent in design, development, financing, maintenance operation or construction of a facility or civil works project				
Action Date	Filed on 3/9/11 by Callegari; 03/16/11 Read 1 <sup>st</sup> time; 03/16/11 Referred to Urban Affairs; 4/13/ 11 Public hearing/testimony/left pending in committee; 5/3/11 Formal meeting/substitute considered/reported favorably; 5/4/11 Report distributed; 5/5/11 Sent to Local & Consent Calendars; 5/13/11 Placed on Local, Consent & Res. Calendar; <b>5/16/11 Received in Senate/read 1<sup>st</sup> time/referred to Economic Development; 5/18/11 Public hearing/ testimony taken/left pending; 5/20/11 Public hearing/voted favorably w/o amendments; 5/21/11 Rules suspended/read 2<sup>nd</sup> time/amended/read 3<sup>rd</sup> time, rules suspended/voted/passed; 5/30/11 Signed in House &amp; Senate; 5/30/11 Sent to Governor</b>				

**HB 3607      Relating to construction managers-at-risk used by local governments**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State	Other <b>X</b>
Impact	LGC Chapter 271.118				
Pros/Cons	Would prohibit a govt. entity's engineer, architect or program director to be hired at agency's const. mgr. at risk. As well as, a corporation or other entity that is a subsidiary or parent company of the govt. entity.				
Action Date	3/11/11 Filed by Kuempel; 3/23/11 Read 1 <sup>st</sup> time; 3/23/11 Referred to Urban Affairs; 4/20/11 Public hearing/testimony given/left pending; 5/4/11 Formal meeting/voted favorably w/o/a; 5/10/11 Committee report distributed and sent to Calendars				

**HB 3676      Relating to procuring contracts for certain professional services by a government entity**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Government Code 2254				
Pros/Cons	For architectural, engineering or land surveying, must base choice on competence, knowledge, qualifications and reasonable fee. Adds preference to firm located in the state when all equal. Looks like it combines the two step process.				
Action Date	Filed on 3/11/11 by Brown; 3/23/11 Read 1 <sup>st</sup> time; 3/23/11 Referred to State Affairs; 4/6/11 Referred to Government Efficiency & Reform instead of above				

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**SENATE BILLS**

**SB 68 State – Contracting and Ethics Issues**

Who is affected?	City	County	School	State <b>X</b>	Other
Impact	Contracting issues of state agencies including ethics issues related to state contracting				
Pros/Cons					
Action Date	Filed and rec'd by Sec. Senate 11/8/2010 by Zaffirini 1/31/11 Read 1 <sup>st</sup> time; 1/31/11 Referred to Government Organization; 4/26/11 Public hearing scheduled				

**SB 74 Higher Ed**

Who is affected?	City	County	School <b>X</b>	State	Other <b>X</b>
Impact	Higher Education donation of surplus or salvage IT equipment				
Pros/Cons					
Action Date	Filed 11/8/10 by Nelson; 1/31/11 Read 1 <sup>st</sup> time; 1/31/11 Referred to Higher Education; 3/2/11 Considered in Public Hearing; 3/7/11 Reported favorable w/o/a; 3/7/11 Out of Senate Committee; 3/17/11 Voted favorably by Senate; 3/17/11 Received in House; 3/30/11 Read 1 <sup>st</sup> time – referred to Higher Education; 5/4/11 Public Hearing/no action taken; 5/16/11 Formal meeting/sent to Consent/favorable w/o amendments; 5/17/11 Report filed and distributed; 5/18/11 Committee report to Consent; 5/19/11 Considered in Consent; 5/20/11 Placed on Consent/read 2 <sup>nd</sup> & 3 <sup>rd</sup> time/passed; 5/23/11 Signed in House and Senate; 5/24/11 Sent to Governor				

**SB 84 Requiring Contractors to E-Verify**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	May not award a contract for goods or services within this state to a contractor or sub unless is a registered participant in the E-verify program. Must continue throughout the life of the contract.				
Pros/Cons	Will be hard to keep up with. Not good for purchasing.				
Action Date	Filed and Rec'd by Sec. of Senate 11/8/10 by Nelson; Transmitted to the Governor 11/15/10; 1/31/11 Read 1 <sup>st</sup> time; 1/31/11 Referred to Transportation & Homeland Security				

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**SB 110 State and Grant Recipients**

Who is affected?	City ?	County ?	School ?	State <b>X</b>	Other ?
Impact	The ethics and accountability as pertaining to grants. Read and decide if it has anything to do with you.				
Pros/Cons					
Action Date	Filed 11/8/10 by Wendy Davis; 1/31/11 Read 1 <sup>st</sup> time; 1/31/11 Referred to State Affairs				

**SB 327 HB 1574 Veterans Service Organizations**

Who is affected?	City	County	School	State <b>X</b>	Other
Impact	Includes certain veteran service organizations as small businesses for purpose of state contracting				
Pros/Cons					
Action Date	Filed and received by Sec. Senate 1/10/11 by Van de Putte, Davis; 2/2/11 Read 1 <sup>st</sup> time; 2/2/11 Referred to Government Organization; 3/14/11 Scheduled for Public Hearing; 3/14/11 Left pending in committee; 3/21/11 Considered in public hearing; 3/24/11 Reported favorably w/o/a; 3/24/11 Placed on intent calendar-going to House; 4/7/11 Laid before Senate-passed-engrossed-received in House; 4/11/11 Read 1 <sup>st</sup> time/referred to State Affairs; 4/19/11 Formal meeting/reported favorably w/o/a; 4/28/11 Committee Report filed/distributed/sent to Calendars; 5/17/11 Considered in Calendars; 5/23/11 Placed on General State Calendar; 5/26/11 Signed in House & Senate; 5/27/11 Sent to Governor				

**SB 361 HB 2010 Construction Contracts**

Who is affected?	City	County	School	State	Other
Impact	Concerning construction indemnification and additional insured provisions. Recommend review by entity Risk Managers.				
Pros/Cons	We would oppose this				
Action Date	Filed and received by Sec. of State by Duncan; 2/2/11 Read 1 <sup>st</sup> time; 2/2/11 Referred to State Affairs; 3/7/11 Scheduled for Public Hearing; 3/8/11 Reported favorable w/o/a; 3/8/11 Out of Senate Committee; 3/17/11 Voted favorably by Senate; 3/21/11 Received in House; 3/29/11 Read 1 <sup>st</sup> time-referred to Judiciary & Civil Jurisprudence; 4/5/11 Referred to Insurance				

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**SB 366 Public Information Act; Re Publicly Owned Power Utilities**

Who is affected?	City <b>X</b>	County	School	State	Other <b>X</b>
Impact	Repeal of information disclosure exemptions for public power utilities.				
Pros/Cons					
Action Date	Filed and received by Sec. of Senate 1/18/11 – Ogden 2/2/11 Read 1 <sup>st</sup> time; 2/2/11 Referred to Business & Commerce				

**SB 400 State Cooperative Program entity eligibility changes**

Who is affected?	City	County	School	State <b>X</b>	Other <b>X</b>
Impact	Allows MHMRs that receive State aid and child care centers meeting Texas Rising Star criteria to use TPASS (State Comptroller) contracts.				
Pros/Cons					
Action Date	Filed and received by Sec. of Senate 1/24/11 by Shapiro; 2/2/11 Read 1 <sup>st</sup> time; 2/2/11 Referred to Government Organization; 2/23/11 Coauthor authorized-Nelson; 3/14/11 Scheduled for Public Hearing; 3/15/11 Voted favorably w/o/a; 3/15/11 Report distributed-out of Senate Committee; 3/24/11 Passed Senate; 3/24/11 Received in House; 3/30/11 Read 1 <sup>st</sup> time-referred to Human Services; 4/12/11 Public hearing scheduled/testimony/ favorable w/o/a; 4/14/11 Report distributed; 4/15/11 Sent to Local Calendar; 5/19/11 Considered in Local & Consent; 5/19/11 Placed on Local & Consent/read 2 <sup>nd</sup> & 3 <sup>rd</sup> times/passed; 5/21/11 Report enrolled; 5/23/11 Signed by House & Senate; 5/24/11 Sent to Governor				

**SB 413 HB 1694 Purchasing and Contracting of Counties**

Who is affected?	City	County <b>X</b>	School	State	Other
Impact	Various items including advertisement; electronic transfers; p-cards; on-line auctions; health insurance, etc.				
Pros/Cons	<b>Need feedback from counties on how this affects them.</b>				
Action Date	Filed and received by Sec. of Senate 1/25/11 by West 2/2/11 Read 1 <sup>st</sup> time; 2/2/11 Referred to Intergovernmental Relations; 3/23/11 Public Hearing-testimony taken; 3/29/11 Reported favorably w/ substitute; 4/7/11 Placed on Intent Calendar; 4/18/11 Again not placed on Calendar				

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**SB 590      HB 1390      Retainage under Certain Construction Contracts**

Who is affected?	City	County	School	State	Other
Impact	Amends Property Code 53				
Pros/Cons	Interesting to watch would affect construction contracts where retainage is involved.				
Action Date	Filed and received by Sec. of Senate 1/25/11 by West 2/10/11 Filed; 2/17/11 Read 1 <sup>st</sup> time; 2/17/11 Referred to Business & Commerce; 3/15/11 Scheduled for Public Hearing – Left pending; <a href="#">5/10/11 Considered in public hearing/left pending</a>				

**SB 640      HB 1283      Consideration of bidder's principal place of business in  
awarding municipal contracts**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Same as 271.9051(b) but excludes construction services and increases the expenditure amount from \$100,000 to \$500,000				
Pros/Cons	Another preference bill for local businesses.				
Action Date	2/14/11 Filed by Seliger; 2/23/11 Read 1 <sup>st</sup> time; 2/23/11 Referred to Intergovernmental Relations; 3/15/11 TxPPA sent opposition letter				

**SB 664      HB 2499      Relating to the continuation and functions of the Department of  
Information Services**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Please read this over especially if you utilize DIR for technology purchases.				
Pros/Cons	Looks like a major overhaul of the department. We are supportive of DIR as a whole. We would not want to see them go away				
Action Date	Filed on 3/9/11 by Nichols; 3/16/11 Read 1 <sup>st</sup> time; 3/16/11 Referred to Government Organization; 4/11/11 Public Hearing/ testimony/ left pending in committee				

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**SB 760**

**Term of Interlocal Agreements**

Who is affected?	City <b>X</b>	County <b>X</b>	School	State <b>X</b>	Other <b>?</b>
Impact	Interlocal contracts between cities or counties may have a specified term of years.				
Pros/Cons	Govt. Code 791.011. Says "may have" not "shall have".				
Action Date	Filed 2/17/11 by West; 2/23/11 Read 1 <sup>st</sup> time; 2/23/11 Referred to Intergovernmental Relations; 3/23/11 Public hearing scheduled/testimony/favorable w/o/a; 3/29/11 Placed on Intent; 3/31/11 Rules suspended/read 2 <sup>nd</sup> /3 <sup>rd</sup> /passed/received in the House; 4/28/11 Read 1 <sup>st</sup> /Referred to State Affairs; 5/16/11 <b>Post rules suspended/considered in informal meeting, left pending;</b> 5/18/11 <b>Formal meeting/substitute considered/sent to Local and Consent/reported favorably as substituted;</b> 5/20/11 Report filed and distributed; 5/21/11 Sent to Local and Consent; 5/23/11 Placed on Local and Consent; 5/29/11 Signed by House & Senate; <b>5/30/11 Sent to Governor</b>				

**SB 806**

**HB 888  
HB 1096**

**Veterans with service-connected disability is eligible to be listed as a historically underutilized business by the state**

Who is affected?	City <b>X</b>	County	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Person would have to register with state to be eligible				
Pros/Cons	Not opposed to this. See HB1851, HB1021 & HB1096.				
Action Date	2/21/11 Filed by Hinojosa; 3/1/11 Read 1 <sup>st</sup> time; 3/1/11 Referred to State Affairs; 3/17/11 Co-author authorized-Wentworth				

**SB 829**

**HB 611**

**A&E Services for Governmental Entities**

Who is affected?	City <b>X</b>	County	School	State <b>X</b>	Other <b>X</b>
Impact	Same as HB611				
Pros/Cons					
Action Date	Filed 2/21/11 – Patrick; 3/8/11 Read 1 <sup>st</sup> time; 3/8/11 Referred to State Affairs				

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**SB 831      HB 1096      Historically Underutilized Businesses  
                  HB 888**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Adds disabled veterans to historically underutilized businesses.				
Pros/Cons	Not opposed; See HB1851 & HB1021 & SB806 & SB831				
Action Date	Filed on 2/21/11 by Rodriguez; 3/1/11 Read 1 <sup>st</sup> time; 3/1/11 Referred to State Affairs; 3/17/11 Co-author authorized-Wentworth				

**SB 901      Disposition of ambulances purchased from federal grants**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Grant recipient would have to get approval from Dept. of State Health Services before selling an ambulance purchased with a grant within 4 years of the date grant was awarded				
Pros/Cons	Not opposed to this.				
Action Date	2/23/11 Filed by Hegar; 3/8/11 Read 1 <sup>st</sup> time; 3/8/11 Referred to Health & Human Services; 3/22/11 Public Hearing scheduled/testimony; 3/29/11 Voted favorably w/o/a, report distributed; 4/7/11 Read 2 <sup>nd</sup> /3 <sup>rd</sup> /passed/received in House; 4/28/11 Read 1 <sup>st</sup> /Referred to Public Health; 5/5/11 Public hearing/testimony/left pending; 5/16/11 Formal meeting/favorable w/o amendments; 5/18/11 Committee report to Calendars; 5/21/11 Placed on General State Calendar/read 2 <sup>nd</sup> time/passed; 5/25/11 Signed by House & Senate; 5/26/11 Sent to Governor				

**SB 1101      Relating to the provision of certain professional, services by certain governmental entities.**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Government Code. Title 10 - Limits local government from providing engineering, construction, construction mgt. services or environmental document preparation services through its employees				
Pros/Cons					
Action Date	3/2/11 Filed by Wentworth; 3/16/11 Read 1 <sup>st</sup> time; 3/16/11 Referred to State Affairs				

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**SB 1558      HB 679      50K change order limit for cities**

Who is affected?	City <b>X</b>	County	School	State	Other <b>X</b>
Impact	Several statutes – brings cities to a 50K change order limit, matching the county amount				
Pros/Cons	Pro: Yes – <b>TxPPA Legislative Initiative</b>				
Action Date	Filed 3/10/11 by Corona; 3/23/11 Read 1 <sup>st</sup> time; 3/23/11 Referred to Intergovernmental Relations; 3/25/11 TxPPA sent support letter; 4/6/11 Public hearing; 4/6/11 TxPPA testified in favor; 4/6/11 Left pending in committee				

**SB 1571      Relating to information subject to the public information law**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Government Code. Section 552.002 – would make private business documents open to the public if they do business with a local government.				
Pros/Cons	Create a disincentive for businesses to do business with local governments. TML is opposing this strongly.				
Action Date	3/11/11 Filed by Watson; 3/23/11 Read 1 <sup>st</sup> time/referred to Open Government; 4/14/11 Public hearing/testimony taken/ left pending; 4/28/11 Public hearing/testimony taken; 5/2/11 Reported favorably as substituted/committee report printed/ distributed; 5/4/11 Placed on Intent Calendar; 5/13/11 Not again placed on Intent				

**SB 1654      HB 2729      Relating to local government authority to develop public infrastructure and facilities**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State	Other <b>X</b>
Impact	Allows local governments to hire private entity to act as agent in design, development, financing, maintenance operation or construction of a facility or civil works project				
Pros/Cons	See no problems.				
Action Date	Filed 3/11/11 by Watson; 3/23/11 Read 1 <sup>st</sup> time; 3/23/11 Referred to Intergovernmental Relations				

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**SB 1679      HB 902      Bidder's principal place of business in awarding certain municipal contracts**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State	Other <b>X</b>
Impact	LGC Chapter 271.9051 - Municipality with population of 2 million or more to consider local preference if within 5% (contracts less than \$100K).				
Pros/Cons	We do not like preferences of any kind.				
Action Date	Filed 3/11/11 by Ellis; 3/23/11 Read 1 <sup>st</sup> time; 3/23/11 Referred to Intergovernmental Relations				

**SB 1866      Relating to the selection of providers of professional services by governmental entities**

Who is affected?	City <b>X</b>	County <b>X</b>	School <b>X</b>	State <b>X</b>	Other <b>X</b>
Impact	Section 2254 Government Code - Allows local governments to consider HUB's and the company's principal place of business in hiring professional services				
Pros/Cons	Con: Another preference bill.				
Action Date	Filed 3/11/11 by Davis; 3/24/11 Read 1 <sup>st</sup> time; 3/24/11 Referred to State Affairs; 4/18/11 Public hearing/testimony/left pending; 5/2/11 Public hearing/testimony/left pending; 5/2/11 Public hearing/favorable as substituted; 5/5/11 Committee report printed/distributed; 5/6/11 Places on Intent Calendar; 5/9/11 Co-Author authorized/ <b>rules suspended</b> /voted/read 2 <sup>nd</sup> time/amended/voted/passed/ <b>three day rule suspended</b> /voted read 3 <sup>rd</sup> time/engrossed/received in House; 5/11/11 Read 1 <sup>st</sup> time/referred to State Affairs				