

CHAPTER 130

S.B. No. 752

AN ACT

relating to bids by nonresidents on contracts for the state or a governmental agency of the state.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subsection (b), Section 1, Chapter 83, Acts of the 69th Legislature, Regular Session, 1985 (Article 601g, Vernon's Texas Civil Statutes), is amended to read as follows:

(b) (1) The state or a governmental agency of the state may not award a contract for general construction, improvements, services, or public works projects or purchases of supplies, materials, or equipment to a nonresident bidder unless the nonresident's bid is lower than the lowest bid submitted by a responsible Texas resident bidder by the same amount that a Texas resident bidder would be required to underbid *the [a]* nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located.

(2) *The State Purchasing and General Services Commission shall annually cause to be published in the Texas Register a list of all those states which have laws or regulations regarding the award of contracts for general construction, improvements, services, or public works projects or purchases of supplies, materials, or equipment to nonresident bidders, together with a citation to and summary of the most recent law or regulation of each state relating to the evaluation of bids from and award of contracts to nonresident bidders. The information published under this subdivision shall be used and may be relied upon to evaluate the bids of nonresident bidders. Such reliance will satisfy the requirement of Subdivision (1) of this section.*

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 9, 1987, by the following vote: Yeas 31, Nays 0. Passed the House on May 8, 1987, by the following vote: Yeas 134, Nays 0, one present not voting.

Approved May 20, 1987.

Effective May 20, 1987.