

SUBJECT: Uniform competitive bidding requirements for municipalities

COMMITTEE: Urban Affairs— favorable, without amendment

VOTE: 9 ayes — Hill, Bailey, Burnam, Clark, Ehrhardt, Garcia, Hodge, Shields, Wohlgemuth
0 nays

WITNESSES: For — Jonathan Graham
Against — None

BACKGROUND : Chapter 252 of the Local Government Code addresses purchasing and contracting authority of municipalities, including competitive bidding on certain public works contracts. Chapter 271 of the same code addresses purchasing and contracting authority of municipalities, counties and certain other local governments, including general competitive bidding and competitive proposal requirements.

DIGEST: HB 1161 would remove municipalities from the list of governmental entities controlled by Chapter 271 of the Local Government Code and repeal the section in the chapter that applies only to municipalities.

The bill would take effect September 1, 1997.

SUPPORTERS SAY: HB 1161 would eliminate duplicative regulations and end considerable confusion for municipalities engaging in public works projects. Chapter 271 deals only with public works projects, while Chapter 252 deals with public works projects in addition to other types of municipal projects. Although their provisions regarding public works projects are very similar, the two chapters are not identical, and municipalities cannot tell which chapter controls. HB 1161 would resolve this confusion by removing municipalities from the regulations of Chapter 271 and leaving them under the more comprehensive bidding regulations of Chapter 252.

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HB 1161 would not allow municipalities to escape any duties or responsibilities currently imposed on them. There are no substantive requirements in Chapter 271 that are absent from Chapter 252.

OPPONENTS
SAY:

No apparent opposition.