

AN ACT

relating to the authority of school districts to purchase electricity through a political subdivision corporation.

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

SECTION 1. Section 44.031(a), Education Code, is amended to read as follows:

(a) Except as provided by this subchapter, all school district contracts, except contracts for the purchase of produce or vehicle fuel, valued at \$25,000 or more in the aggregate for each 12-month period shall be made by the method, of the following methods, that provides the best value for the district:

- (1) competitive bidding;
- (2) competitive sealed proposals;
- (3) a request for proposals, for services other than construction services;
- (4) a catalogue purchase as provided by Subchapter B, Chapter 2157, Government Code;
- (5) an interlocal contract;
- (6) a design/build contract;
- (7) a contract to construct, rehabilitate, alter, or repair facilities that involves using a construction manager;
- (8) a job order contract for the minor construction, repair, rehabilitation, or alteration of a facility; ~~[or]~~
- (9) the reverse auction procedure as defined by

1 Section 2155.062(d), Government Code; or
2 (10) the formation of a political subdivision
3 corporation under Section 304.001, Local Government Code.

4 SECTION 2. Section 304.001(a), Local Government Code, is
5 amended to read as follows:

6 (a) In this chapter, "political subdivision" means a
7 county, municipality, school district, hospital district, or any
8 other political subdivision receiving electric service from an
9 entity that has implemented customer choice, as defined in Section
10 31.002, Utilities Code.

11 SECTION 3. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2003.

David Newkumst

President of the Senate

Tom Craddick

Speaker of the House

I certify that H.B. No. 2528 was passed by the House on May 9, 2003, by the following vote: Yeas 132, Nays 0, 1 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 2528 was passed by the Senate on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Patsy Saw
Secretary of the Senate

APPROVED: 20 JUN '03

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:30 a.m. O'CLOCK

Jeannine Shea
Secretary of State