



Bill Text: TX SB1173 | 2025-2026 | 89th Legislature | Enrolled Texas Senate Bill 1173 (***Prior Session Legislation***)

Bill Title: Relating to the amount of an expenditure made by certain political subdivisions for which a competitive procurement method may be required.

Spectrum: Moderate Partisan Bill (Republican 7-1)

Status: (Passed) 2025-05-29 - Effective on 9/1/25 [SB1173 Detail]

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S.B. No. 1173

AN ACT

relating to the amount of an expenditure made by certain political subdivisions for which a competitive procurement method may be required.

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 for the purchase of goods and services, except contracts for the purchase of produce or vehicle fuel, valued at \$100,000 [~~\$50,000~~] 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 for services other than construction services;
- (2) competitive sealed proposals for services other than construction services;
- (3) a request for proposals, for services other than construction services;
- (4) an interlocal contract;
- (5) a method provided by Chapter 2269, Government Code, for construction services;
- (6) the reverse auction procedure as defined by Section 2155.062(d), Government Code; or
- (7) the formation of a political subdivision corporation under Section 304.001, Local Government Code.

SECTION 2. Section 775.084(a), Health and Safety Code, is amended to read as follows:

(a) Except as provided by Subsection (i), the board must submit to competitive bids an expenditure of more than \$100,000 [~~\$50,000~~] for:

- (1) one item or service; or
- (2) more than one of the same or a similar type of item or service in a fiscal year.

SECTION 3. Section 252.021(a), Local Government Code, is amended to read as follows:

(a) Before a municipality may enter into a contract that requires an expenditure of more than \$100,000 [~~\$50,000~~] from one or more municipal funds, the municipality must:

- (1) comply with the procedure prescribed by this subchapter and Subchapter C for competitive sealed bidding or competitive sealed proposals;
- (2) use the reverse auction procedure, as defined by Section 2155.062(d), Government Code, for purchasing; or
- (3) comply with a method described by Chapter 2269, Government Code.

SECTION 4. Section 252.0215, Local Government Code, is amended to read as follows:

Sec. 252.0215. COMPETITIVE BIDDING IN RELATION TO HISTORICALLY UNDERUTILIZED BUSINESS. A municipality, in making an expenditure of more than \$3,000 but less than \$100,000 [~~\$50,000~~], shall contact at least two historically underutilized businesses on a rotating basis, based on information provided by the comptroller pursuant to Chapter 2161, Government Code. If the list fails to identify a historically underutilized business in the county in which the municipality is situated, the municipality is exempt from this section.

SECTION 5. Section 262.003(a), Local Government Code, is amended to read as follows:

(a) Any law that requires a county to follow a competitive procurement procedure in making a purchase requiring the expenditure of \$100,000 [~~\$50,000~~] or less does not apply to the purchase of an item available for purchase from only one supplier.

SECTION 6. Section 262.023(a), Local Government Code, is amended to read as follows:

(a) Before a county may purchase one or more items under a contract that will require an expenditure exceeding \$100,000 [~~\$50,000~~], the commissioners court of the county must:

- (1) comply with the competitive bidding or competitive proposal procedures prescribed by this subchapter;
- (2) use the reverse auction procedure, as defined by Section 2155.062(d), Government Code, for purchasing; or
- (3) comply with a method described by Chapter 2269, Government Code.

SECTION 7. Section 271.024, Local Government Code, is amended to read as follows:

Sec. 271.024. COMPETITIVE PROCUREMENT PROCEDURE APPLICABLE TO CONTRACT. If a governmental entity is required by statute to award a contract for the construction, repair, or renovation of a structure, road, highway, or other improvement or addition to real property on the basis of competitive bids, and if the contract requires the expenditure of more than \$100,000 [~~\$50,000~~] from the funds of the entity, the bidding on the contract must be accomplished in the manner provided by this subchapter.

SECTION 8. Section 271.054, Local Government Code, is amended to read as follows:

Sec. 271.054. COMPETITIVE PROCUREMENT REQUIREMENT. Before the governing body of an issuer may enter into a contract requiring an expenditure by or imposing an obligation or liability on the issuer, or on a subdivision of the issuer if the issuer is a county, of more than \$100,000 [~~\$50,000~~], the governing body must:

- (1) submit the proposed contract to competitive procurement; or
- (2) use an alternate method of project delivery authorized by Chapter 2269, Government Code.

SECTION 9. Sections 252.312(b) and (c), Transportation Code, are amended to read as follows:

(b) If the county road engineer so recommends and the commissioners court considers it to be in the best interest of the county, a purchase in an amount of \$100,000 [~~\$50,000~~] or less may be made through negotiation by the commissioners court or the court's authorized representative on requisition to be approved by the commissioners court or the county auditor without advertising for competitive bids.

(c) A purchase may not be divided or reduced to avoid the competitive bidding requirement on a purchase that would otherwise cost more than \$100,000 [~~\$50,000~~].

SECTION 10. Section 451.110(c), Transportation Code, is amended to read as follows:

(c) Subsection (a) does not apply to a contract for:

- (1) \$100,000 [~~\$50,000~~] or less;
- (2) the purchase of real property;
- (3) personal or professional services; or
- (4) the acquisition of an existing transit system.

SECTION 11. The changes in law made by this Act apply only to a purchase made on or after the effective date of this Act. A purchase made before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 12. This Act takes effect September 1, 2025.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1173 passed the Senate on April 10, 2025, by the following vote: Yeas 29, Nays 1; and that the Senate concurred in House amendment on May 20, 2025, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

I hereby certify that S.B. No. 1173 passed the House, with amendment, on May 15, 2025, by the following vote: Yeas 103, Nays 38, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor

Exemptions

A county **does not** have to go through one of these competitive procurement methods if:

1. Contract amount is \$50,000 or less; or
2. Purchase falls within an exemption under Ch. 262 **and** the Commissioners Court approves the exemption.



But note that...

- ◆ For exempt purchases, the County Purchasing Agent or Commissioners Court must adopt policies and procedures for procurement (e.g., contact three vendors for price quotes).
- ◆ For items purchased from a sole source, the Commissioners Court must enter into its minutes a statement from the county official who certifies that the item can only be purchased from a single source.







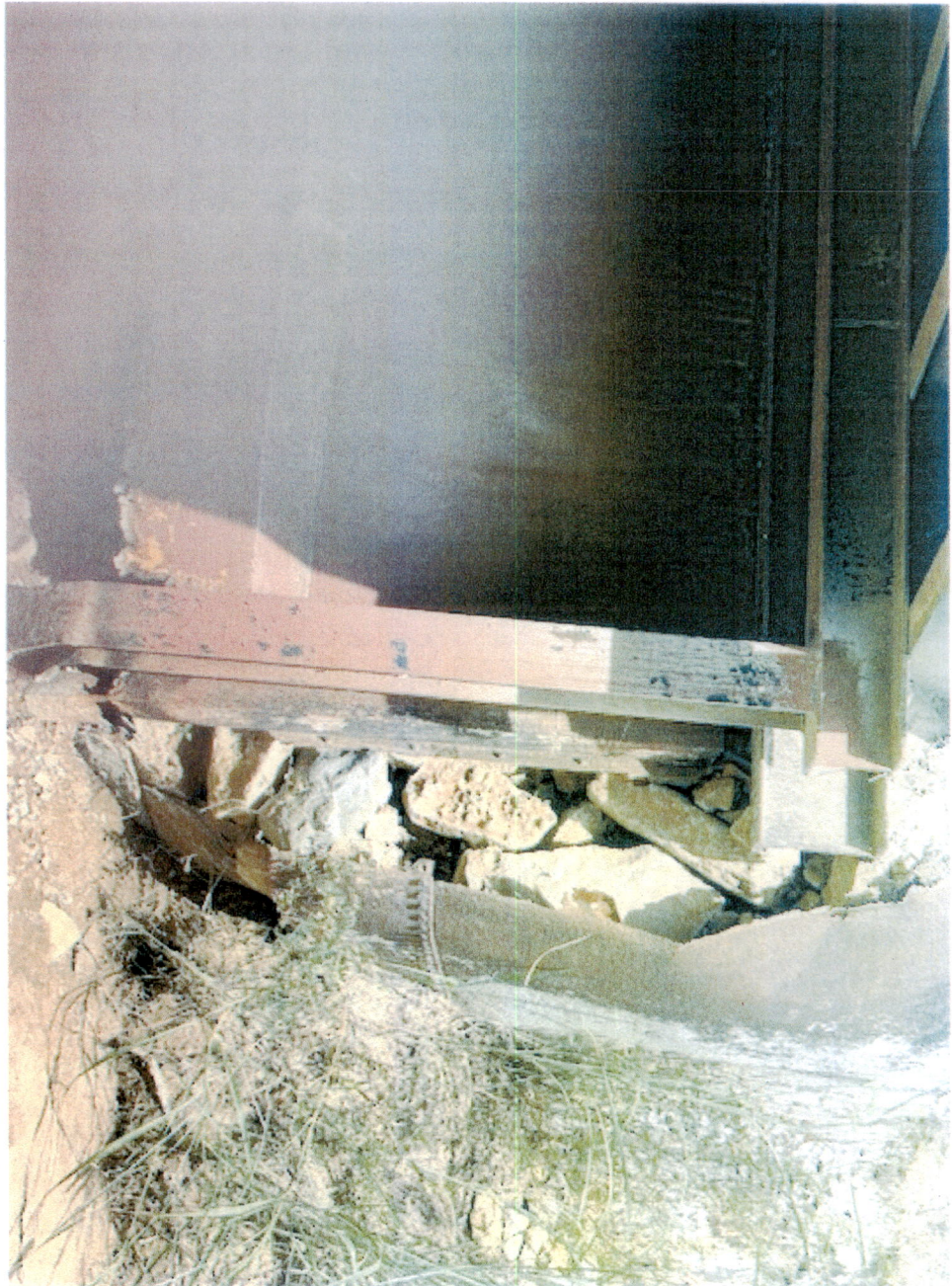


















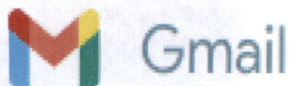












Henry Birdwell Jr. <hbirdwell2@jackcounty.texas.gov>

Jack Co. (PCT 3) Bridges

1 message

Mark Burwell <Mark.Burwell@txdot.gov>

Tue, Jul 29, 2025 at 3:23 PM

To: "hbirdwell2@jackcounty.texas.gov" <hbirdwell2@jackcounty.texas.gov>

Good afternoon, Commissioner,

I was a pleasure meeting you today and visiting various bridge structures within your precinct.

I appreciate you showing me the non-bridge class structure on Smith Road. This structure should remain closed until replaced for the safety of the traveling public. There are 2 buckled piles at the east abutment and 2 piles at the west abutment are corroded with up to 100% section loss. Therefore, this structure is unable to safely carry vehicular traffic.

Please let me know if you have any questions.

Thank you,

MARK BURWELL

Bridge Inspection Coordinator

TEXAS DEPARTMENT OF TRANSPORTATION

Fort Worth (02)

Office: 817-370-6882

Mobile: 817-223-9235

Email: Mark.burwell@txdot.gov[TxDOT.gov](https://www.txdot.gov) | [Get Involved](#) | [Texas Highways](#)[Facebook](#) | [LinkedIn](#) | [YouTube](#) | [X](#)

BRYSON

INDEPENDENT SCHOOL DISTRICT

300 N. McCloud - Bryson, TX 76427

940.392.3281 - Fax 940.392.2086

www.brysonisd.net



July 31, 2025

RE: Bryson ISD Bus Route

Dear Mr. Henry Birdwell,

It has come to my attention that one of the bridges on Smith Rd must be replaced due to the recent flood and age. This is one of Bryson ISD's bus routes and will cause us to extend and reroute students. We would appreciate this being made a priority by the county.

Bryson ISD appreciates everything you as a commissioner and the county do to support our school district. Please call me if you have any further details or timelines associated with Smith Rd. being reopened.

Thank you,

A handwritten signature in blue ink that reads "Greg London".

Greg London

08/04/25

Horton Bridge & Piling Smith Rd Bridge Bid

Bid is good for 30 days

This bid is for the removal of old structure on Smith Rd and the construction of a new bridge on Smith rd. Bridge size is 24' X 40' Bid also includes the foundation piling needed.

Bridge Price per FT- \$1800.00

Total for 40' - \$72,000.00

Piling cost not to exceed \$12,000.00

Piling per Ft- \$23 per ft



































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