

- \*\* **HB 800 is an attempt by a select few to monopolize the roofing market and restrict trade.**
- \*\* The current system in place regarding BuyBoard procedures works well, and saves money for school districts.
- \*\* Technical information for specifications in roofing, like in all other free enterprise markets, comes from every sector of the roofing market, not a select few as is claimed by supporters of this drastic change.
- \*\* **School districts from all over the state testified against HB 800, stating that the current system in place to utilize the Buy Board not only is efficient , but saves school district millions of dollars a year.**
- \*\* These savings to school districts are realized in rebates received back from the BuyBoard, and in the costs of the construction projects entered into through the BuyBoard process.
- \*\* **HB 800 would in turn benefit only a select few roofing consultants. Hence, all cost savings to school districts would be eliminated.**
- \*\* **This select group of roofing consultants has chosen not to participate in the coop purchasing vehicle. Not that they can't – they choose not to.**
- \*\* Supporters of this bill simply want to control the market for themselves by systematically directing all of the roofing market through them and restricting trade for their competitors.
- \*\* **The attempt by these individuals, under the guise of the claimed not-for-profit "Professional Roofing Standards Council", the legal status of which is in question, is simply another attempt to restrain trade and restrict competition.** The same tactic by the same individuals has been going on for over ten years. HB 800 is simply another attempt by them to monopolize the market and direct all roofing projects in their direction instead of having to compete for them.
- \*\* The information requested from the BuyBoard by the Committee, and provided to them from the BuyBoard, speaks for itself. There were no improprieties. The current system works, and open competition is prevailing.

82R22748 MXM-F

By: Anderson of McLennan, Smith of Harris, H.B. No. 800  
et al.

Substitute the following for H.B. No. 800:

By: Callegari C.S.H.B. No. 800

A BILL TO BE ENTITLED

AN ACT

relating to an interlocal contract between a governmental entity and a purchasing cooperative to purchase roofing materials or services.

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

SECTION 1. Section 791.011, Government Code, is amended by adding Subsections (h-1) and (h-2) to read as follows:

(h-1) In this subsection, "roofing materials or services" includes materials or services for repair or replacement of a roof. An interlocal contract between a governmental entity and a purchasing cooperative may not be used to purchase roofing materials or services from a person who provided consulting services to the cooperative on the contract, including providing specifications for bids on the contract. This prohibition also applies to:

(1) a person that is an agent, subsidiary, or parent company of the person who consulted with the cooperative; or

(2) a person related in the second degree of consanguinity or affinity to a person who consulted with the cooperative.

(h-2) The prohibition under Subsection (h-1) does not apply to a renewal of a contract based on a request for proposal submitted, or substantially similar to a request for proposal submitted, before September 1, 2011, if the contract is renewed before September 1, 2012. This subsection expires September 1, 2012.

SECTION 2. The change in law made by this Act to Section 791.011, Government Code, applies only to an interlocal contract or an amendment to, supplement to, or waiver of a provision of a contract made on or after the effective date of this Act. An interlocal contract or an amendment to, supplement to, or waiver of a provision of a contract made before the effective date of this Act is governed by the law in effect when the contract or amendment, supplement, or waiver was made, and the former law is continued for that purpose.

SECTION 3. This Act takes effect September 1, 2011.

## **2011 Calendars Committee**

Todd Hunter (Chairman) – Republican from Corpus Christi – Counties represented are Nueces, San Patricio, Calhoun, and Aransas

Dennis Bonnen (Vice-Chairman) – Republican from Angleton – Represents part of Brazoria County, including Lake Jackson, Freeport, and West Columbia

Dan Branch – Republican from Dallas – Represents part of Dallas County, including University Park and Highland Park

Garnet Coleman – Democrat from Houston – Represents part of Houston, south and east of downtown

Byron Cook – Republican from Corsicana – Represents Anderson, Freestone, Limestone, and Navarro Counties

Charlie Geren – Republican from Fort Worth – Represents part of northwest Tarrant County, including Azle, River Oaks, White Settlement, Saginaw, and Haslett

Jim Keffer – Republican from Eastland – Represents Brown, Eastland, Shackelford, Stephens, Hood, and Palo Pinto Counties

Tracy King – Democrat from Eagle Pass – Represents Kinney, Medina, Maverick, Zavala, Dimmit, La Salle, and Frio Counties

Lois Kolkhorst – Republican from Brenham – Represents Austin, Grimes, Walker, and Washington Counties

Eddie Lucio, III – Democrat from San Benito – Represents part of Cameron County including Harlingen and Brownsville

Allan Ritter – Republican from Nederland – Represents part of Jefferson County, including Beaumont and Groves, and a small portion of Port Arthur

Eddie Rodriguez – Democrat from Austin – Represents southeast Travis County and Creedmoor

Burt Solomons – Republican from Carrollton – Represents part of Denton County including Lewisville and Hebron

Vicki Truitt – Republican from Southlake – Represents part of Tarrant County including west Fort Worth, Colleyville, Grapevine, and Keller

John Zerwas – Republican from Simonton – Represents Waller and Wharton Counties, and Fulshear and Weston Lakes in Fort Bend County

### **Access to the Calendar Committee Contact Information:**

The official house website is [www.house.state.tx.us](http://www.house.state.tx.us) where you will be able to find email addresses, phone numbers, and all relevant information for each House member.

Once you are at the main page of the House website you will find links at the top of the page.

1. Click on the Committees link.
2. Scroll down to and click on **Calendars (Procedural)**. The Calendar Committee members are listed by picture and name.
3. To access a committee member, click on their picture. This will access their House Member website with their contact information.