

## Chapter 109. Budgeting, Accounting, and Auditing

### Subchapter D. Uniform Bank Bid or Request for Proposal and Depository Contract

#### §109.51. Uniform Depository Bank Bid or Proposal Form.

- (a) At least 60 days before the end of the current depository contract, each school district must decide to use either competitive bidding or a request for proposals to choose a new depository.
- (b) At least 30 days before the end of the current depository contract, the district must mail the uniform blank form for the selected process to each bank located in the district. The district must use either the uniform bid form specified in subsection (c) of this section or the uniform proposal form specified in subsection (d) of this section. The district may add other terms to the uniform bid or proposal form if the added terms do not unfairly restrict competition between banks as stated in the Texas Education Code, §45.206(b). The district must keep the selected bid or proposal form in the district and make it available to the Texas Education Agency upon request.
- (c) This subsection provides the uniform bid blank form, entitled "Bid Form for Depository Services."  
[Figure: 19 TAC §109.51\(c\)](#)
- (d) This subsection provides the uniform proposal blank form, entitled "Proposal Form for Depository Services."  
[Figure: 19 TAC §109.51\(d\)](#)

*Statutory Authority: The provisions of this §109.51 issued under the Texas Education Code, §§7.102(c)(34), 45.206, and 45.208.*

*Source: The provisions of this §109.51 adopted to be effective September 1, 1997, 22 TexReg 3780; amended to be effective March 4, 2001, 26 TexReg 1708; amended to be effective October 13, 2002, 27 TexReg 9316; amended to be effective August 17, 2008, 33 TexReg 6592; amended to be effective May 15, 2014, 39 TexReg 3706; amended to be effective May 16, 2017, 42 TexReg 2533.*

#### §109.52. Uniform Depository Bank Contract and Surety Bond Forms.

- (a) Each school district must use the uniform depository contract form as provided in subsection (b) of this section. The district must complete the form and file it electronically with the Texas Education Agency (TEA) as specified in the Texas Education Code (TEC), §45.208, and in accordance with filing instructions provided on the TEA website.
- (b) This subsection provides the uniform depository contract form, entitled "Depository Contract for Funds of Independent School Districts under the Texas Education Code, Chapter 45, Subchapter G, School District Depositories."  
[Figure: 19 TAC §109.52\(b\)](#)
- (c) If a district's depository elects a surety bond to secure the district's deposit amounts less any applicable Federal Deposit Insurance Corporation insurance, the depository must complete the surety bond form provided in subsection (d) of this section, attach it to the contract, and file it with the district. The district must file a copy of the contract and the surety bond form with the TEA as specified in the TEC, §45.208, and in accordance with filing instructions provided on the TEA website.
- (d) This subsection provides the uniform surety bond form, entitled "Texas School Depository Surety Bond Form."  
[Figure: 19 TAC §109.52\(d\)](#)
- (e) If the TEA receives a contract form and determines that it is incomplete, the TEA will notify the district.
- (f) A district that has no current depository contract in force and filed with the TEA will receive its warrants from the TEA by US mail.

**§109.D.**

**Uniform Bank Bid or Request for Proposal and Depository Contract**

- (g) For depository contract filing requirements for charter schools, refer to §100.1043 of this title (relating to Status and Use of State Funds; Depository Contract).

*Statutory Authority: The provisions of this §109.52 issued under the Texas Education Code, §§7.102(c)(34), 39.025, 39.027, 45.206, and 45.208.*

*Source: The provisions of this §109.52 adopted to be effective September 1, 1997, 22 TexReg 3780; amended to be effective March 4, 2001, 26 TexReg 1708; amended to be effective October 13, 2002, 27 TexReg 9316; amended to be effective August 17, 2008, 33 TexReg 6592; amended to be effective May 15, 2014, 39 TexReg 3706; amended to be effective March 27, 2018, 43 TexReg 1850.*