

AN ACT

relating to the authority to approve change orders for certain contracts for the construction, repair, and renovation of water district facilities.

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

SECTION 1. Section 49.273(i), Water Code, is amended to read as follows:

(i) If changes in plans, specifications, or scope of work are necessary or beneficial to the district, as determined by the board, after the performance of the contract is begun, or if it is necessary or beneficial to the district, as determined by the board, to decrease or increase the quantity of the work to be performed or of the materials, equipment, or supplies to be furnished, the board may approve change orders making the changes. The board may grant authority to an official or employee responsible for purchasing or for administering a contract to approve a change order that involves an increase or decrease of \$150,000 [~~\$50,000~~] or less. The aggregate of the change orders that increase the original contract price by more than 25 percent may be issued only as a result of unanticipated conditions encountered during construction, repair, or renovation or changes in regulatory criteria or to facilitate project coordination with other political entities. A change order is not subject to the requirements of Subsection (d) or (e).

1 SECTION 2. The changes in law made by this Act apply only to
2 a change order approved on or after the effective date of this Act.
3 A change order approved before the effective date of this Act is
4 governed by the law in effect on the date the change order was
5 approved, and the former law is continued in effect for that
6 purpose.

7 SECTION 3. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 3437 was passed by the House on April 28, 2023, by the following vote: Yeas 134, Nays 10, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3437 was passed by the Senate on May 12, 2023, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor