

1-1 By: Holland (Senate Sponsor - Nichols) H.B. No. 3437  
 1-2 (In the Senate - Received from the House May 1, 2023;  
 1-3 May 2, 2023, read first time and referred to Committee on Water,  
 1-4 Agriculture & Rural Affairs; May 9, 2023, reported favorably by the  
 1-5 following vote: Yeas 8, Nays 0; May 9, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the authority to approve change orders for certain  
 1-20 contracts for the construction, repair, and renovation of water  
 1-21 district facilities.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 49.273(i), Water Code, is amended to  
 1-24 read as follows:

1-25 (i) If changes in plans, specifications, or scope of work  
 1-26 are necessary or beneficial to the district, as determined by the  
 1-27 board, after the performance of the contract is begun, or if it is  
 1-28 necessary or beneficial to the district, as determined by the  
 1-29 board, to decrease or increase the quantity of the work to be  
 1-30 performed or of the materials, equipment, or supplies to be  
 1-31 furnished, the board may approve change orders making the changes.  
 1-32 The board may grant authority to an official or employee  
 1-33 responsible for purchasing or for administering a contract to  
 1-34 approve a change order that involves an increase or decrease of  
 1-35 \$150,000 [~~\$50,000~~] or less. The aggregate of the change orders that  
 1-36 increase the original contract price by more than 25 percent may be  
 1-37 issued only as a result of unanticipated conditions encountered  
 1-38 during construction, repair, or renovation or changes in regulatory  
 1-39 criteria or to facilitate project coordination with other political  
 1-40 entities. A change order is not subject to the requirements of  
 1-41 Subsection (d) or (e).

1-42 SECTION 2. The changes in law made by this Act apply only to  
 1-43 a change order approved on or after the effective date of this Act.  
 1-44 A change order approved before the effective date of this Act is  
 1-45 governed by the law in effect on the date the change order was  
 1-46 approved, and the former law is continued in effect for that  
 1-47 purpose.

1-48 SECTION 3. This Act takes effect September 1, 2023.

1-49 \* \* \* \* \*