

1-1 By: Van Arsdale (Senate Sponsor - Lindsay) H.B. No. 2887
1-2 (In the Senate - Received from the House May 12, 2003;
1-3 May 13, 2003, read first time and referred to Committee on Natural
1-4 Resources; May 19, 2003, reported favorably by the following vote:
1-5 Yeas 10, Nays 0; May 19, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the exemption of certain services necessary to comply
1-9 with federal and state construction storm water requirements from
1-10 certain contract requirements.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 49.278(a), Water Code, is amended to
1-13 read as follows:

1-14 (a) This subchapter does not apply to:

1-15 (1) equipment, materials, or machinery purchased by
1-16 the district at an auction that is open to the public;

1-17 (2) contracts for personal or professional services or
1-18 for a utility service operator;

1-19 (3) contracts made by a district engaged in the
1-20 distribution and sale of electric energy to the public;

1-21 (4) contracts for services or property for which there
1-22 is only one source or for which it is otherwise impracticable to
1-23 obtain competition; [~~or~~]

1-24 (5) high technology procurements; or

1-25 (6) contracts for services related to compliance with
1-26 a state or federal construction storm water requirement, including
1-27 acquisition of permits, construction, repair, and removal of
1-28 temporary erosion control devices, cleaning of silt and debris from
1-29 streets and storm sewers, monitoring of construction sites, and
1-30 preparation and filing of all required reports.

1-31 SECTION 2. (a) This Act takes effect immediately if it
1-32 receives a vote of two-thirds of all the members elected to each
1-33 house, as provided by Section 39, Article III, Texas Constitution.
1-34 If this Act does not receive the vote necessary for immediate
1-35 effect, this Act takes effect September 1, 2003.

1-36 (b) The change in law made by this Act applies only to a
1-37 contract executed on or after the effective date of this Act.

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