

1-1 By: Barrientos, Wentworth S.B. No. 485
1-2 (In the Senate - Filed February 13, 2003; February 19, 2003,
1-3 read first time and referred to Committee on Infrastructure
1-4 Development and Security; April 24, 2003, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 8, Nays
1-6 0; April 24, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 485 By: Barrientos

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the use of exclusive development agreements by an
1-11 intermunicipal commuter rail district.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 6, Article 6550c-1, Revised Statutes, is
1-14 amended to read as follows:

1-15 Sec. 6. COMPETITIVE BIDS. A contract in the amount of more
1-16 than \$15,000 for the construction of improvements or the purchase
1-17 of material, machinery, equipment, supplies, or any other property
1-18 except real property may be let only on competitive bids after
1-19 notice published, at least 15 days before the date set for receiving
1-20 bids, in a newspaper of general circulation in the district. A
1-21 board may adopt rules governing the taking of bids and the awarding
1-22 of contracts. This section does not apply to:

1-23 (1) personal or professional services;

1-24 (2) the acquisition of existing rail transportation
1-25 systems; ~~or~~

1-26 (3) a contract with a common carrier to construct
1-27 lines and to operate commuter rail service on lines owned in whole
1-28 or in part by the carrier; or

1-29 (4) an agreement with a private entity under Section
1-30 6A of this Article.

1-31 SECTION 2. Article 6550c-1, Revised Statutes, is amended by
1-32 adding Section 6A to read as follows:

1-33 Sec. 6A. EXCLUSIVE DEVELOPMENT AGREEMENTS. (a) In this
1-34 section, "exclusive development agreement" means an agreement with
1-35 a private entity that at a minimum provides for the design and
1-36 construction of a commuter rail facility or system. The agreement
1-37 may also provide for the financing, acquisition, maintenance, or
1-38 operation of a commuter rail facility or system.

1-39 (b) A board may enter into an exclusive development
1-40 agreement with a private entity.

1-41 (c) The board may adopt rules governing agreements under
1-42 this section.

1-43 SECTION 3. This Act takes effect immediately if it receives
1-44 a vote of two-thirds of all the members elected to each house, as
1-45 provided by Section 39, Article III, Texas Constitution. If this
1-46 Act does not receive the vote necessary for immediate effect, this
1-47 Act takes effect September 1, 2003.

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