

By: Jackson

S.B. No. 709

A BILL TO BE ENTITLED

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AN ACT

relating to the ability of certain counties to use lease-purchase or licensing agreements.

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

SECTION 1. Section 263.053, Local Government Code, is amended to read as follows:

Sec. 263.053. SALE AND SUBSEQUENT LEASE OR LICENSE OF PROPERTY IN COUNTIES WITH POPULATION OF MORE THAN 250,000 [~~500,000~~]. (a) This section applies only to counties with a population of more than 250,000 [~~500,000~~].

(b) The commissioners court of the county may enter into any for-profit or other licensing agreement with a seller of wireless communications service that may include a license to collocate wireless communications technology on property owned by the county.

(c) The commissioners court of the county may sell land, buildings, facilities, or equipment for the purpose of making contracts for the lease or rental of land, buildings, facilities, or equipment or for receiving services from others for county purposes. The commissioners court may pay regular monthly bills for utilities, such as electricity, gas, and water, for the property leased or rented or for the services received.

(d) [~~(e)~~] If a majority of the commissioners court determines that the facilities and equipment are essential for the proper administration of county government, the commissioners

1 court may pay for the facilities and equipment and for the regular  
2 monthly bills from the general fund of the county. The  
3 commissioners court must make the payment by warrant in the manner  
4 that payments for other obligations of the county are made.

5 (e) [~~(d)~~] A construction project initiated for a purpose  
6 authorized by this section may be awarded only by a contract that  
7 provides for the payment of the prevailing wage for all mechanics,  
8 laborers, and others employed in the construction project. The  
9 commissioners court of Tarrant County shall set the prevailing  
10 wage, which must be the same prevailing wage set by the  
11 commissioners court of that county for all construction projects  
12 involving the expenditure of county funds.

13 (f) [~~(e)~~] On or before the expiration of a contract made  
14 under this section, the facilities may be purchased by the county  
15 and paid for from its general fund if a majority of the  
16 commissioners court agrees that the purchase price is reasonable.

17 SECTION 2. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2003.