

1-1 By: Jackson S.B. No. 709
1-2 (In the Senate - Filed February 26, 2003; March 3, 2003,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; April 25, 2003, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 3, Nays 0;
1-6 April 25, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 709 By: Brimer

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

1-10 relating to the ability of certain counties to use lease-purchase
1-11 or licensing agreements.

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

1-13 SECTION 1. Section 263.053, Local Government Code, is
1-14 amended to read as follows:

1-15 Sec. 263.053. SALE AND SUBSEQUENT LEASE OR LICENSE OF
1-16 PROPERTY IN COUNTIES WITH POPULATION OF MORE THAN 250,000
1-17 [~~500,000~~]. (a) This section applies only to counties with a
1-18 population of more than 250,000 [~~500,000~~].

1-19 (b) The commissioners court of the county may enter into any
1-20 for-profit or other licensing agreement with a seller of wireless
1-21 communications service that may include a license to collocate
1-22 wireless communications technology on property owned by the county.

1-23 (c) The commissioners court of the county may sell land,
1-24 buildings, facilities, or equipment for the purpose of making
1-25 contracts for the lease or rental of land, buildings, facilities,
1-26 or equipment or for receiving services from others for county
1-27 purposes. The commissioners court may pay regular monthly bills
1-28 for utilities, such as electricity, gas, and water, for the
1-29 property leased or rented or for the services received.

1-30 (d) [~~(c)~~] If a majority of the commissioners court
1-31 determines that the facilities and equipment are essential for the
1-32 proper administration of county government, the commissioners
1-33 court may pay for the facilities and equipment and for the regular
1-34 monthly bills from the general fund of the county. The
1-35 commissioners court must make the payment by warrant in the manner
1-36 that payments for other obligations of the county are made.

1-37 (e) [~~(d)~~] A construction project initiated for a purpose
1-38 authorized by this section may be awarded only by a contract that
1-39 provides for the payment of the prevailing wage for all mechanics,
1-40 laborers, and others employed in the construction project. The
1-41 commissioners court of Tarrant County shall set the prevailing
1-42 wage, which must be the same prevailing wage set by the
1-43 commissioners court of that county for all construction projects
1-44 involving the expenditure of county funds.

1-45 (f) [~~(e)~~] On or before the expiration of a contract made
1-46 under this section, the facilities may be purchased by the county
1-47 and paid for from its general fund if a majority of the
1-48 commissioners court agrees that the purchase price is reasonable.

1-49 SECTION 2. This Act takes effect immediately if it receives
1-50 a vote of two-thirds of all the members elected to each house, as
1-51 provided by Section 39, Article III, Texas Constitution. If this
1-52 Act does not receive the vote necessary for immediate effect, this
1-53 Act takes effect September 1, 2003.

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