

By: Ellis

S.B. No. 1617

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the level of municipal participation in contracts with
3 developers for public improvements.

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

5 SECTION 1. Section 212.072(b), Local Government Code, is
6 amended to read as follows:

7 (b) The contract must establish the limit of participation
8 by the municipality at a level not to exceed 70 [~~30~~] percent of the
9 total contract price. In addition, the contract may also allow
10 participation by the municipality at a level not to exceed 100
11 percent of the total cost for any oversizing of improvements
12 required by the municipality, including but not limited to
13 increased capacity of improvements to anticipate other future
14 development in the area. The municipality is liable only for the
15 agreed payment of its share, which shall be determined in advance
16 either as a lump sum or as a factor or percentage of the total actual
17 cost as determined by municipal ordinance.

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