

1-1 By: Ellis S.B. No. 1617
1-2 (In the Senate - Filed March 14, 2003; March 20, 2003, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 24, 2003, reported favorably by the following
1-5 vote: Yeas 3, Nays 0; April 24, 2003, sent to printer.)

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

1-8 relating to the level of municipal participation in contracts with
1-9 developers for public improvements.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (b), Section 212.072, Local
1-12 Government Code, is amended to read as follows:

1-13 (b) The contract must establish the limit of participation
1-14 by the municipality at a level not to exceed 70 [~~30~~] percent of the
1-15 total contract price. In addition, the contract may also allow
1-16 participation by the municipality at a level not to exceed 100
1-17 percent of the total cost for any oversizing of improvements
1-18 required by the municipality, including but not limited to
1-19 increased capacity of improvements to anticipate other future
1-20 development in the area. The municipality is liable only for the
1-21 agreed payment of its share, which shall be determined in advance
1-22 either as a lump sum or as a factor or percentage of the total actual
1-23 cost as determined by municipal ordinance.

1-24 SECTION 2. This Act takes effect immediately if it receives
1-25 a vote of two-thirds of all the members elected to each house, as
1-26 provided by Section 39, Article III, Texas Constitution. If this
1-27 Act does not receive the vote necessary for immediate effect, this
1-28 Act takes effect September 1, 2003.

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