

1-1 By: Lindsay S.B. No. 1729  
1-2 (In the Senate - Filed March 14, 2003; March 20, 2003, read  
1-3 first time and referred to Committee on Natural Resources;  
1-4 April 22, 2003, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 11, Nays 0; April 22, 2003,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1729 By: Lindsay

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

1-10 relating to certain contracts by water districts that are related  
1-11 to complying with state or federal construction stormwater  
1-12 requirements.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subsection (a), Section 49.278, Water Code, is  
1-15 amended to read as follows:

1-16 (a) This subchapter does not apply to:

1-17 (1) equipment, materials, or machinery purchased by  
1-18 the district at an auction that is open to the public;

1-19 (2) contracts for personal or professional services or  
1-20 for a utility service operator;

1-21 (3) contracts made by a district engaged in the  
1-22 distribution and sale of electric energy to the public;

1-23 (4) contracts for services or property for which there  
1-24 is only one source or for which it is otherwise impracticable to  
1-25 obtain competition; [~~or~~]

1-26 (5) high technology procurements; or

1-27 (6) contracts for services related to compliance with  
1-28 a state or federal construction stormwater requirement, including  
1-29 the acquisition of permits, the construction, repair, and removal  
1-30 of temporary erosion control devices, the cleaning of silt and  
1-31 debris from streets and storm sewers, the monitoring of  
1-32 construction sites, and the preparation and filing of all required  
1-33 reports.

1-34 SECTION 2. This Act takes effect immediately if it receives  
1-35 a vote of two-thirds of all the members elected to each house, as  
1-36 provided by Section 39, Article III, Texas Constitution. If this  
1-37 Act does not receive the vote necessary for immediate effect, this  
1-38 Act takes effect September 1, 2003.

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