

By: Krusee

H.B. No. 2075

A BILL TO BE ENTITLED

AN ACT

1
2 relating to payments to contractors in connection with highway
3 projects of the Texas Department of Transportation.

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

5 SECTION 1. Section 223.009, Transportation Code, is amended
6 to read as follows:

7 Sec. 223.009. PARTIAL PAYMENT. A contract may provide for
8 partial payments to the contractor. [~~The aggregate amount of~~
9 ~~payments at any time may not exceed 95 percent of the value of the~~
10 ~~work done.~~]

11 SECTION 2. Section 223.010(a), Transportation Code, is
12 amended to read as follows:

13 (a) The department may retain a percentage [~~Five percent~~] of
14 the contract price [~~shall be retained~~] until the entire improvement
15 has been completed and accepted[, ~~except as provided by Subsections~~
16 ~~(h) and (i)~~].

17 SECTION 3. Sections 223.010(h) and (i), and Section
18 223.011, Transportation Code, are repealed.

19 SECTION 4. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2007.