

AN ACT

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

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

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

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

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

(a) The department may retain up to five [Five] percent of the contract price. The department may continue to retain the amount [shall be retained] until the entire improvement has been completed and accepted or release the retained amount at any time before the improvement is accepted ~~[, except as provided by Subsections (h) and (i)].~~

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 Sections 223.010(h) and (i), and Section 223.011, Transportation Code, are repealed.

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

H.B. No. 2075

1 Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I certify that H.B. No. 2075 was passed by the House on April 12, 2007, by the following vote: Yeas 141, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2075 on May 17, 2007, by the following vote: Yeas 147, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2075 was passed by the Senate, with amendments, on May 15, 2007, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor