

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

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18 223.011, Transportation Code, are repealed.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.

ADOPTED

MAY 15 2007

*Leta Spaw*  
Secretary of the Senate

By: Kruseel Nichols

H.B. No. 2075

Substitute the following for H.B. No. 2075:

By: Carona

C.S. H.B. No. 2075

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

19 SECTION 3. Sections 223.010(h) and (i), and Section  
20 223.011, Transportation Code, are repealed.

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

1 Act takes effect September 1, 2007.



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 7, 2007**

**TO:** Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB2075** by Krusee (Relating to payments to contractors in connection with highway projects of the Texas Department of Transportation.), **Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

Based on the analysis of the Texas Department of Transportation, it is assumed the provisions of the bill would have no fiscal impact to the state.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** JOB, KJG, TG



**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 4, 2007**

**TO:** Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB2075** by Krusee (Relating to payments to contractors in connection with highway projects of the Texas Department of Transportation.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

Based on the analysis of the Texas Department of Transportation, it is assumed the provisions of the bill would have no fiscal impact to the state.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** JOB, KJG, TG

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**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 23, 2007**

**TO:** Honorable Mike Krusee, Chair, House Committee on Transportation

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB2075** by Krusee (Relating to payments to contractors in connection with highway projects of the Texas Department of Transportation.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

Based on the analysis of the Texas Department of Transportation, it is assumed the provisions of the bill would have no fiscal impact to the state.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** JOB, KJG, TG



**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 10, 2007**

**TO:** Honorable Mike Krusee, Chair, House Committee on Transportation

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB2075** by Krusee (Relating to payments to contractors in connection with highway projects of the Texas Department of Transportation.), **As Introduced**

**No fiscal implication to the State is anticipated.**

Based on the analysis of the Texas Department of Transportation, it is assumed the provisions of the bill would have no fiscal impact to the state.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** JOB, KJG, TG

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