

House Bill 2075
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 a percentage [~~Five percent~~] of the contract price [~~shall be retained~~] until the entire improvement has been completed and 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 Sections 223.010(h) and (i), and Section 223.011, Transportation Code, are repealed.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 Act takes effect September 1, 2007.

SENATE VERSION

Same as House version.

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).~~]

Same as House version.

Same as House version.

CONFERENCE