

By: Smith of Tarrant

H.B. No. 2515

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the minimum dollar amount for certain requirements to
3 apply to certain public contracts.

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

5 SECTION 1. Section 2253.021(a), Government Code, is amended
6 by adding Section 24.575 to read as follows:

7 (a) A governmental entity that makes a public work contract
8 with a prime contractor shall require the contractor, before
9 beginning the work, to execute to the governmental entity:

10 (1) a performance bond if the contract is in excess of
11 \$100,000; and

12 (2) a payment bond if:

13 (A) the contract is in excess of \$25,000, and the
14 governmental entity is not a municipality, or a joint board created
15 under Chapter 22, Transportation Code; or

16 (B) the contract is in excess of \$50,000 and the
17 governmental entity is a municipality, or a joint board created
18 under Chapter 22, Transportation Code.

19 SECTION 2. Section 252.048(c), Local Government Code, is
20 amended to read as follows;

21 (c) If a change order involves a decrease or an increase of
22 \$50,000 [~~\$25,000~~] or less, the governing body may grant general
23 authority to an administrative official of the municipality to
24 approve the change orders.

1 SECTION 3. The change in law made by this Act to Section
2 2253.021(a), Government Code, applies only to a contract entered
3 into on or after the effective date of this Act, and the change in
4 law made by this Act to Section 252.048(c), Local Government Code,
5 applies only to a change order approved on or after the effective
6 date of this Act. A contract entered into or change order approved
7 before the effective date of this Act is governed by the law in
8 effect when the contract was entered into or the change order was
9 approved, and the former law is continued in effect for that
10 purpose.

11 SECTION 4. This Act takes effect September 1, 2009.