

By: Oliveira, Lucio III

H.B. No. 2653

A BILL TO BE ENTITLED

AN ACT

relating to authorizing design-build procedures for construction, rehabilitation, alteration, or repair of certain utility projects located in certain areas.

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

SECTION 1. Subchapter J, Chapter 271, Local Government Code, is amended by adding Section 271.1821 to read as follows:

Sec. 271.1821. APPLICABILITY TO CERTAIN PROJECTS IN CERTAIN AREAS. (a) This subchapter applies to a municipally owned combined electric, water, and wastewater utility located:

(1) in an economically distressed area, as defined by Section 17.921, Water Code; and

(2) within:

(A) 30 miles of the Gulf of Mexico; and

(B) 50 miles of an international border.

(b) For purposes of this section, a utility is a combined utility if:

(1) the governing body of the municipality appoints one board of directors that manages and controls the electric, water, and wastewater utilities; and

(2) the financing of the capital improvements of the utilities described by Subdivision (1) is secured from the revenue of all three utilities described by Subdivision (1).

SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2009.