

Amend HB 71 (house committee printing) as follows:

(1) On page 5, strike lines 11-12.

(2) Strike page 6, line 25, through page 7, line 3, and substitute the following:

(c) An authority may acquire by eminent domain any interest in real property, including a fee simple interest, except the right of eminent domain may not be exercised:

(1) in a municipality without the approval of each proposed acquisition by the governing body of the municipality or in an unincorporated area without the approval of each proposed acquisition by the commissioners court of the county in which the property to be condemned is located; or

(2) in a manner that would:

(A) unduly impair the existing neighborhood character of property surrounding, or adjacent to, the property to be condemned;

(B) unduly interfere with interstate commerce;  
or

(C) authorize the authority to run an authority vehicle on a railroad track that is used to transport property.

(3) On page 7, strike lines 22-24, and substitute "without the provider's permission.".

(4) On page 8, line 11, between "section" and "is", insert "and approved by resolution of the appropriate municipal governing body or commissioners court".

(5) On page 9, line 20, between "(d)" and "The", insert "This section does not limit the state's power to regulate fares, tolls, charges, or rents imposed by an authority or other compensation authorized under this section.".

(6) On page 9, line 21, between "chapter" and "not", insert ", however,".

(7) On page 15, line 9, between "(1)" and "\$1", insert "not more than".

(8) On page 15, line 10, between "(2)" and "\$2", insert "not more than".

(9) On page 15, line 11, between "(3)" and "25", insert "not more than".

(10) On page 18, between lines 25 and 26, insert the following:

Sec. 463.1055. PROCUREMENT RULES. (a) The executive committee may adopt and enforce procurement procedures, guidelines, and rules:

(1) defining the terms in and implementing Sections 463.106 and 463.107; or

(2) covering:

(A) the appointment of contracting officers;

(B) the solicitation for and award of contracts, including the electronic transmission of bids and proposals and the use of the reverse auction procedure, as defined by Section 2155.062, Government Code;

(C) the resolution of protests and contract disputes;

(D) foreign currency transactions and conversions and foreign exchange rate risk management; or

(E) other aspects of the procurement process for domestic and international contracts.

(b) Sections 463.106 and 463.107 and the procedures, guidelines, or rules adopted under this section confer no rights on an actual or potential bidder, offeror, contractor, or other person except as expressly stated in the procedures, guidelines, or rules.

(c) A procurement procedure, guideline, or rule covering the electronic transmission of bids and proposals must provide:

(1) for the identification, security, and confidentiality of an electronic bid or proposal;

(2) that an electronic bid or proposal is not required to be sealed; and

(3) that an electronic bid or proposal remains effectively unopened until the appropriate time.

(11) Strike page 19, lines 10-15, and substitute the following:

(1) the aggregate amount involved in the contract is \$50,000 or less;

(12) On page 19, at the end of line 26, add "or".

(13) Strike page 20, line 13, through page 21, line 9, and

substitute "of the authority's financing activities.".

(14) On page 23, between lines 11 and 12, insert the following:

Sec. 463.1535. APPROVAL OF MUNICIPALITY. The location of a station or terminal complex in a municipality or in the extraterritorial jurisdiction of a municipality must be approved, as to conformity with the comprehensive or general plan of the municipality, by a motion, resolution, or ordinance adopted by the governing body of the municipality.

(15) On page 24, between lines 11 and 12, insert the following:

(c) A bond that has a maturity longer than five years from the date of issuance may not be issued by an authority until an election has been held and the proposition proposing the issue has been approved by a majority of the votes received on the issue.

(d) Subsection (c) does not apply to:

(1) refunding bonds;

(2) bonds described by Subsection (a)(2); or

(3) commercial paper notes having maturities of 270 days or less that are authorized to be issued and reissued from time to time under a commercial paper program in a maximum principal amount that the chief financial officer certifies, based on reasonable estimates of pledged revenue, can be repaid in full within five years after the date of authorization of the commercial paper program, taking into consideration any other bonds or notes having a prior or parity lien on the pledged revenue, regardless of the final date of the commercial paper program.

(e) A commercial paper program described by Subsection (d)(3) may not be continued beyond five years unless, before issuing any note with a maturity exceeding five years from the date of the initial authorization of the program or five years from the date of any new certification, the chief financial officer provides a new certification that the maximum principal amount of the program, based on reasonable estimates of pledged revenue, can be repaid in full within five years after the date of the most recent new certification, taking into consideration any other bonds or notes having a prior or parity lien on the pledged revenue.