

By: Creighton

S.B. No. 970

A BILL TO BE ENTITLED

AN ACT

relating to the review and approval of contingent fee contracts for certain public agencies.

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

SECTION 1. Chapter 140, Local Government Code, is amended by adding Section 140.012 to read as follows:

Sec. 140.012. CONTINGENT FEE CONTRACT APPROVAL REQUIRED FOR PUBLIC AGENCIES. (a) A public agency as defined by Section 30.003, Water Code, may not enter into a contract described by Subchapter C, Chapter 2254, Government Code, without review and approval by the attorney general.

(b) This section does not apply to:

(1) a contingent fee contract to collect delinquent ad valorem taxes under Section 6.30, Tax Code, or Subchapter C, Chapter 33, Tax Code;

(2) a contingent fee contract to collect delinquent court fines and fees under Article 103.0031, Code of Criminal Procedure;

(3) a contingent fee contract to collect delinquent accounts receivable, including weed liens and paving liens, or other special assessments;

(4) a contingent fee contract for services rendered in connection with the issuance of a public security under Section 1201.027, Government Code; or

1 (5) a type of contingent fee contract designated by
2 the attorney general by rule based on the insignificance of the risk
3 involved or the existence of statutory authority for the contract.

4 SECTION 2. Section 403.0305, Government Code, is repealed.

5 SECTION 3. The change in law made by this Act applies only
6 to a contract submitted for review and approval on or after the
7 effective date of this Act. A contract submitted before the
8 effective date of this Act is governed by the law as it existed
9 immediately before the effective date of this Act, and that law is
10 continued in effect for that purpose.

11 SECTION 4. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2019.