

1 AN ACT

2 relating to payments to contractors in connection with highway
3 projects of the Texas Department of Transportation.

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

5 SECTION 1. Section 223.009, Transportation Code, is amended
6 to read as follows:

7 Sec. 223.009. PARTIAL PAYMENT. A contract may provide for
8 partial payments to the contractor. [~~The aggregate amount of~~
9 ~~payments at any time may not exceed 95 percent of the value of the~~
10 ~~work done.~~]

11 SECTION 2. Section 223.010(a), Transportation Code, is
12 amended to read as follows:

13 (a) The department may retain up to five [Five] percent of
14 the contract price. The department may continue to retain the
15 amount [shall be retained] until the entire improvement has been
16 completed and accepted or release the retained amount at any time
17 before the improvement is accepted [except as provided by
18 Subsections (h) and (i)].

19 SECTION 3. Sections 223.010(h) and (i), and Section
20 223.011, Transportation Code, are repealed.

21 SECTION 4. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this

H.B. No. 2075

1 Act takes effect September 1, 2007.

David Dewhurst

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 2075 was passed by the House on April 12, 2007, by the following vote: Yeas 141, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2075 on May 17, 2007, by the following vote: Yeas 147, Nays 0, 1 present, not voting.

Robert Hancy

Chief Clerk of the House

I certify that H.B. No. 2075 was passed by the Senate, with amendments, on May 15, 2007, by the following vote: Yeas 31, Nays 0.

Letsy Spaw

Secretary of the Senate

APPROVED: 15 JUN 07

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3 PM O'CLOCK

Roger Williams
JUN 15 2007
Secretary of State