

## 1 AN ACT

2 relating to allowing a commissioners court to deliberate in a  
3 closed meeting regarding business and financial considerations of a  
4 contract being negotiated.

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

6 SECTION 1. Subchapter D, Chapter 551, Government Code, is  
7 amended by adding Section 551.0725 to read as follows:

8 Sec. 551.0725. COMMISSIONERS COURTS: DELIBERATION  
9 REGARDING CONTRACT BEING NEGOTIATED; CLOSED MEETING. (a) The  
10 commissioners court of a county with a population of 400,000 or more  
11 may conduct a closed meeting to deliberate business and financial  
12 issues relating to a contract being negotiated if, before  
13 conducting the closed meeting:

14 (1) the commissioners court votes unanimously that  
15 deliberation in an open meeting would have a detrimental effect on  
16 the position of the commissioners court in negotiations with a  
17 third person; and

18 (2) the attorney advising the commissioners court  
19 issues a written determination that deliberation in an open meeting  
20 would have a detrimental effect on the position of the  
21 commissioners court in negotiations with a third person.

22 (b) Notwithstanding Section 551.103(a), Government Code,  
23 the commissioners court must make a tape recording of the  
24 proceedings of a closed meeting to deliberate the information.

1           SECTION 2. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2003.

David Newkirk

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 2004 was passed by the House on May 10, 2003, by the following vote: Yeas 131, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2004 on May 29, 2003, by the following vote: Yeas 139, Nays 1, 2 present, not voting.

Robert H. Hines

Chief Clerk of the House

I certify that H.B. No. 2004 was passed by the Senate, with amendments, on May 27, 2003, by the following vote: Yeas 31, Nays 0.

Patsy Spaw

Secretary of the Senate

APPROVED: 21 JUN 03

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
3:30 PM O'CLOCKJohn Shea  
JUN 21 2003  
Secretary of State