

1 AN ACT
2 relating to the exemption of certain services necessary to comply
3 with federal and state construction storm water requirements from
4 certain contract requirements.

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

6 SECTION 1. Section 49.278(a), Water Code, is amended to
7 read as follows:

8 (a) This subchapter does not apply to:

9 (1) equipment, materials, or machinery purchased by
10 the district at an auction that is open to the public;

11 (2) contracts for personal or professional services or
12 for a utility service operator;

13 (3) contracts made by a district engaged in the
14 distribution and sale of electric energy to the public;

15 (4) contracts for services or property for which there
16 is only one source or for which it is otherwise impracticable to
17 obtain competition; [~~or~~]

18 (5) high technology procurements; or

19 (6) contracts for services related to compliance with
20 a state or federal construction storm water requirement, including
21 acquisition of permits, construction, repair, and removal of
22 temporary erosion control devices, cleaning of silt and debris from
23 streets and storm sewers, monitoring of construction sites, and
24 preparation and filing of all required reports.

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

6 (b) The change in law made by this Act applies only to a
7 contract executed on or after the effective date of this Act.

David Newhall

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 2887 was passed by the House on May 10, 2003, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 2887 was passed by the Senate on May 27, 2003, by the following vote: Yeas 31, Nays 0.

Lately Shaw
Secretary of the Senate

APPROVED: 20 JUN 03

Date

Rick Peery
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:20 P.M. O'CLOCK

JUN 20 2003
Ann Shea
Secretary of State