

By: Ellis

S.B. No. 1617

(In the Senate - Filed March 14, 2003; March 20, 2003, read first time and referred to Committee on Intergovernmental Relations; April 24, 2003, reported favorably by the following vote: Yeas 3, Nays 0; April 24, 2003, sent to printer.)

A BILL TO BE ENTITLED
AN ACT

relating to the level of municipal participation in contracts with developers for public improvements.

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

SECTION 1. Subsection (b), Section 212.072, Local Government Code, is amended to read as follows:

(b) The contract must establish the limit of participation by the municipality at a level not to exceed 70 [~~30~~] percent of the total contract price. In addition, the contract may also allow participation by the municipality at a level not to exceed 100 percent of the total cost for any oversizing of improvements required by the municipality, including but not limited to increased capacity of improvements to anticipate other future development in the area. The municipality is liable only for the agreed payment of its share, which shall be determined in advance either as a lump sum or as a factor or percentage of the total actual cost as determined by municipal ordinance.

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

* * * *