

## CHAPTER 202

## H.B. No. 1697

An Act relating to construction contracts for certain solid or hazardous waste disposal projects of the Gulf Coast Waste Disposal Authority.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Subsection (b), Section 3.23, Gulf Coast Waste Disposal Authority Act, Chapter 409, Acts of the 61st Legislature, Regular Session, 1969 (Article 7621d-2, Vernon's Texas Civil Statutes), is amended to read as follows:

(b) Any construction or repair contract, or contract for the purchase of material, equipment, or supplies, or any contract for services (other than technical, scientific, legal, fiscal or other professional services) shall be awarded to the lowest and best bidder therefor, after publication of a notice to bidders once each week for three consecutive weeks before the date set for awarding the contract, if the contract will require an estimated expenditure of more than \$25,000, or if the contract is for a term of more than five years. In the event of an emergency, the authority may let such contracts as are necessary to protect and preserve the public health and welfare or the properties of the authority, without such bidding procedures. Provided that as to construction contracts for industrial wastewater disposal and solid *or hazardous* waste disposal projects, where such projects are not being constructed for or to serve a public agency or a local government or where the project is a solid *or hazardous* waste resource recovery facility to be used for disposal of waste of cities [~~of 1,000,000 population or greater~~] whose ultimate output or product is to be sold to individuals or corporations for amounts substantially sufficient to finance such facility, there shall be no obligation to receive construction bids on such projects and Chapter 163, General Laws, Acts of the 42nd Legislature, Regular Session, 1931, as amended (Article 2368a, Vernon's Texas Civil Statutes), or any other law requiring competitive bids shall not apply to such projects.

**SECTION 2.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 24, 1985, by a non-record vote; House concurred in Senate amendments to H.B. No. 1697 on May 13, 1985, by a non-record vote; and, pursuant to the provisions of Article XVI, Section 59(d) of the Constitution of Texas, a copy of H.B. No. 1697 was transmitted to the Governor on March 7, 1985, and the recommendation of the Texas Water Commission was filed with the Speaker of the House on March 22, 1985; passed by the Senate, with amendments, on May 9, 1985, by the following vote: Yeas 31, Nays 0.

**CH 202**

**69th LEGIS—REGULAR SESSION**

Filed: May 24, 1985, without signature.  
Effective: August 26, 1985