

CHAPTER 170

H.B. No. 1074

AN ACT

relating to the authority of navigation districts and port authorities to establish financial criteria for surety companies that provide performance or payment bonds.

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

SECTION 1. Sections 60.411(a) and (d), Water Code, are amended to read as follows:

(a) If a contract is for the construction of public works or a contract amount exceeds \$50,000, the bid specifications or request for proposal may require the bidder to furnish a good and sufficient bid bond in the amount of five percent of the total contract price. A district or port authority may require that the bond be executed with a surety company:

(1) authorized to do business in this state; *and*

(2) *listed on the United States Department of Treasury List of Approved Sureties.*

(d) Bidders or proposal offerers for contracts subject to Article 5160, Revised Statutes, are required to furnish a bond as provided by that article, *except that a district or port authority may require that the bond be executed with a surety company listed on the United States Department of Treasury List of Approved Sureties.*

SECTION 2. The changes in law made by this Act apply only to contracts made on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 1993.

SECTION 4. 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.

Passed by the House on March 30, 1993, by a non-record vote; passed by the Senate on May 7, 1993: Yeas 30, Nays 0.

Approved May 17, 1993.

Effective Sept. 1, 1993.