

CHAPTER 723

H.B. No. 665

AN ACT

relating to the requirement that bid documents and contracts for construction projects in a municipality or in the municipality's extraterritorial jurisdiction include detailed trench construction plans.

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

SECTION 1. (a) In a municipality or in the extraterritorial jurisdiction of a municipality as provided by the Municipal Annexation Act (Article 970a, Vernon's Texas Civil Statutes), on construction projects in which trench excavation will exceed a depth of five feet, the bid documents and the contract must include detailed plans and specifications for trench safety systems that meet Occupational Safety and Health Administration standards and that these plans and specifications include a pay item for these same safety systems.

(b) This section does not apply to a contract entered into by a person subject to the safety standards adopted under Article 6053-1, Revised Statutes, and the administrative penalty provisions of Article 6053-2, Revised Statutes.

SECTION 2. A municipality must include the bid document and contract requirements in the municipal building code if the municipality has a building code.

SECTION 3. 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 May 13, 1987, by a non-record vote. Passed by the Senate on May 30, 1987, by the following vote: Yeas 31, Nays 0.

Approved June 19, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.