

BILL ANALYSIS

H.B. 970
By: Truitt
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, a county that has surplus or salvage property may dispose of it in several ways. Each of the three ways requires that county funds be used in some form. Even if a commissioners court would like to donate the property, it must first go through a bid process at county expense that could result in no bids. House Bill 970 authorizes a commissioners court to donate surplus or salvage property to a local civic or charitable organization without having to first undertake a bid process at the county's expense.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

House Bill 970 amends Section 263.152(a) of the Local Government Code to authorize a commissioners court to dispose of surplus or salvage property by donating it to a civic or charitable organization in the county. The bill requires that the commissioners court must first determine that the cost of a bid process would result in no bids or in a bid price that would be less than the county's expense for the bid process. The bill also requires that the commissioners court must first determine that the donation serves a public purpose. The bill also requires that the receiving organization provide the county with adequate relief such as relieving the county from the costs related to the transportation or disposal of the property. The bill repeals Section 263.152(c) in the Local Government Code that requires the county to undertake a bid process before it can dispose of property by donating it to a civic or charitable organization located in the county.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.