

BILL ANALYSIS

S.B. 1461
By: Lindsay
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law allows county commissioners courts to supply surplus or salvage property to any incorporated volunteer fire departments with which they have contracted for fire protection services. However, the definition of salvage property is personal property that has “no value” for the purpose for which it was originally intended and that has caused problems for some counties. Some heavy equipment maintains its residual value, even if the equipment is very old and heavily used. S.B. 1461 allows a county commissioners court to declare fire apparatus and equipment purchased by the county as surplus or salvage after 15 years of use and would allow a volunteer fire department to purchase that equipment for eight percent of its original purchase value.

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

SECTION 1. Amends Chapter 352A, Local Government Code, by adding Section 352.006, as follows:

Sec. 352.006. SALE OF USED FIRE PROTECTION OR FIRE-FIGHTING EQUIPMENT TO CERTAIN VOLUNTEER FIRE DEPARTMENTS. (a) Defines “volunteer fire department.”

(b) Authorizes the commissioners court of a county, notwithstanding Subchapter D, Chapter 263, or other law, to sell used fire-fighting equipment, excluding equipment described in Government Code, Chapter 419.040 and Chapter 419.041, to a volunteer fire department for eight percent of the original purchase value of the equipment if certain conditions are met.

SECTION 2. Effective date: September 1, 2003.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all 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.