

By: Cook of Colorado

H.B. No. 3047

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the disposition of certain surplus and salvage property
3 of the state.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 2175.061, Government Code, is amended by
6 adding Subsection (c) to read as follows:

7 (c) Notwithstanding any other provision of this chapter,
8 the commission may by rule determine the best method of disposal for
9 surplus and salvage property of the state.

10 SECTION 2. Section 2175.134(a), Government Code, is amended
11 to read as follows:

12 (a) Proceeds from the sale of surplus or salvage property [~~7~~
13 ~~less the cost of advertising the sale, the cost of selling the~~
14 ~~surplus or salvage property, including the cost of auctioneer~~
15 ~~services, and the amount of the fee collected under Section~~
16 ~~2175.131,~~] shall be deposited to the credit of the general revenue
17 fund of the state treasury [~~appropriate appropriation item of the~~
18 ~~state agency for which the sale was made~~].

19 SECTION 3. Section 2175.182(a), Government Code, is amended
20 to read as follows:

21 (a) The commission is responsible for the disposal of
22 surplus or salvage property under this subchapter. The commission
23 may take physical possession of the property. [~~A state agency~~
24 ~~maintains ownership of property throughout the disposal process.~~]

1 SECTION 4. Section 2175.184, Government Code, is amended to
2 read as follows:

3 Sec. 2175.184. DIRECT TRANSFER. During the 10 business
4 days after the date the property is posted on the comptroller's
5 website, a state agency, political subdivision, or assistance
6 organization may coordinate with the commission for a transfer of
7 the property at a price established by the commission in
8 cooperation with the transferring agency. [~~A transfer to a state
9 agency has priority over any other transfer during this period.~~]

10 SECTION 5. Section 2175.185(b), Government Code, is amended
11 to read as follows:

12 (b) On receiving notice under this section, the comptroller
13 shall, if necessary, [~~+~~
14 [~~(1) debit and credit the proper appropriations, and~~
15 [~~(2)~~] adjust state property accounting records.

16 SECTION 6. Section 2175.191(a), Government Code, is amended
17 to read as follows:

18 (a) Proceeds from the sale of surplus or salvage property [~~7
19 less the cost of advertising the sale, the cost of selling the
20 surplus or salvage property, including the cost of auctioneer
21 services, and the amount of the fee collected under Section
22 2175.188,~~] shall be deposited to the credit of the general revenue
23 fund of the state treasury [~~appropriate appropriation item of the
24 state agency for which the sale was made~~].

25 SECTION 7. Section 2175.301(b), Government Code, is amended
26 to read as follows:

27 (b) If surplus property of either house of the legislature

1 is sold, proceeds of the sale shall be deposited in the general
2 revenue fund of the state treasury [~~to the credit of that house's~~
3 ~~appropriation~~].

4 SECTION 8. Sections 2175.134(b) and 2175.191(b),
5 Government Code, are repealed.

6 SECTION 9. This Act applies only to surplus and salvage
7 property of the state sold on or after September 1, 2003.

8 SECTION 10. This Act takes effect September 1, 2003.