

By: Jackson

S.B. No. 705

Substitute the following for S.B. No. 705:

By: Chisum

C.S.S.B. No. 705

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the donation by a county of salvage and surplus property  
3 to a civic or charitable organization.

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

5 SECTION 1. Section 263.152(a), Local Government Code, is  
6 amended to read as follows:

7 (a) The commissioners court of a county may:

8 (1) periodically sell the county's surplus or salvage  
9 property by competitive bid or auction, except that competitive  
10 bidding or an auction is not necessary if the purchaser is another  
11 county or a political subdivision within the county that is selling  
12 the surplus or salvage property;

13 (2) offer the property as a trade-in for new property  
14 of the same general type if the commissioners court considers that  
15 action to be in the best interests of the county; ~~or~~

16 (3) order any of the property to be destroyed or  
17 otherwise disposed of as worthless if the commissioners court  
18 undertakes to sell that property under Subdivision (1) and is  
19 unable to do so because no bids are made; or

20 (4) dispose of the property by donating it to a civic  
21 or charitable organization located in the county if the  
22 commissioners court determines that:

23 (A) undertaking to sell the property under  
24 Subdivision (1) would likely result in no bids or a bid price that

1 is less than the county's expenses required for the bid process;

2 (B) the donation serves a public purpose; and

3 (C) the organization will provide the county with  
4 adequate consideration, such as relieving the county of  
5 transportation or disposal expenses related to the property.

6 SECTION 2. Chapter 285, Health and Safety Code, is amended  
7 by adding Subchapter Z to read as follows:

8 SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

9 Sec. 285.901. DISPOSITION OF SALVAGE AND SURPLUS PROPERTY.

10 (a) In this section:

11 (1) "Salvage property" has the meaning assigned by  
12 Section 263.151, Local Government Code.

13 (2) "Surplus property" has the meaning assigned by  
14 Section 263.151, Local Government Code.

15 (b) The governing board of a hospital district may dispose  
16 of the hospital district's surplus or salvage property in the same  
17 way that a commissioners court of a county may dispose of the  
18 county's surplus or salvage property under Section 263.152, Local  
19 Government Code.

20 SECTION 3. Section 263.152(c), Local Government Code, is  
21 repealed.

22 SECTION 4. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2003.