

1-1 By: Jackson S.B. No. 705
1-2 (In the Senate - Filed February 26, 2003; March 3, 2003,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; April 3, 2003, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; April 3, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the donation by a county of salvage and surplus property
1-9 to a civic or charitable organization.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (a), Section 263.152, Local
1-12 Government Code, is amended to read as follows:

1-13 (a) The commissioners court of a county may:

1-14 (1) periodically sell the county's surplus or salvage
1-15 property by competitive bid or auction, except that competitive
1-16 bidding or an auction is not necessary if the purchaser is another
1-17 county or a political subdivision within the county that is selling
1-18 the surplus or salvage property;

1-19 (2) offer the property as a trade-in for new property
1-20 of the same general type if the commissioners court considers that
1-21 action to be in the best interests of the county; ~~or~~

1-22 (3) order any of the property to be destroyed or
1-23 otherwise disposed of as worthless if the commissioners court
1-24 undertakes to sell that property under Subdivision (1) and is
1-25 unable to do so because no bids are made; or

1-26 (4) dispose of the property by donating it to a civic
1-27 or charitable organization located in the county if the
1-28 commissioners court determines that:

1-29 (A) undertaking to sell the property under
1-30 Subdivision (1) would likely result in no bids or a bid price that
1-31 is less than the county's expenses required for the bid process;

1-32 (B) the donation serves a public purpose; and

1-33 (C) the organization will provide the county with
1-34 adequate consideration, such as relieving the county of
1-35 transportation or disposal expenses related to the property.

1-36 SECTION 2. Subsection (c), Section 263.152, Local
1-37 Government Code, is repealed.

1-38 SECTION 3. This Act takes effect immediately if it receives
1-39 a vote of two-thirds of all the members elected to each house, as
1-40 provided by Section 39, Article III, Texas Constitution. If this
1-41 Act does not receive the vote necessary for immediate effect, this
1-42 Act takes effect September 1, 2003.

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