

1-1 By: Lindsay S.B. No. 1461  
1-2 (In the Senate - Filed March 13, 2003; March 20, 2003, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; May 2, 2003, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;  
1-6 May 2, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1461 By: Gallegos

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the sale of used fire-fighting equipment to certain  
1-11 volunteer fire departments.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter A, Chapter 352, Local Government  
1-14 Code, is amended by adding Section 352.006 to read as follows:

1-15 Sec. 352.006. SALE OF USED FIRE PROTECTION OR FIRE-FIGHTING  
1-16 EQUIPMENT TO CERTAIN VOLUNTEER FIRE DEPARTMENTS. (a) In this  
1-17 section, "volunteer fire department" means an association that:

1-18 (1) operates fire-fighting equipment;

1-19 (2) is organized primarily to provide and actively  
1-20 provides fire-fighting services;

1-21 (3) does not pay its members compensation other than  
1-22 nominal compensation; and

1-23 (4) does not distribute any of its income to its  
1-24 members, officers, or governing body, other than for reimbursement  
1-25 of expenses.

1-26 (b) Notwithstanding Subchapter D, Chapter 263, or other  
1-27 law, the commissioners court of a county may sell used  
1-28 fire-fighting equipment, excluding equipment described in Sections  
1-29 419.040 and 419.041, Government Code, to a volunteer fire  
1-30 department for eight percent of the original purchase value of the  
1-31 equipment if:

1-32 (1) the fire protection or fire-fighting equipment is  
1-33 at least 15 years old and met the National Fire Protection  
1-34 Association standards at the original time of purchase; and

1-35 (2) the volunteer fire department provides fire  
1-36 protection to an area within the county.

1-37 SECTION 2. This Act takes effect September 1, 2003.

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