

By: Armbrister

S.J.R. No. 53

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing political
2 subdivisions to donate outdated or surplus fire-protection and
3 emergency services equipment to certain fire departments.

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

5 SECTION 1. Article III, Texas Constitution, is amended by
6 adding Section 52i to read as follows:

7 Sec. 52i. (a) A political subdivision, including a
8 municipality, county, or special purpose district, may donate
9 outdated or surplus fire-protection and emergency services
10 equipment to a fire department that:

11 (1) is not considered to be a part of a political
12 subdivision of the state;

13 (2) is operated on a not-for-profit basis, including a
14 department that is exempt from federal income tax under Section
15 501(a), Internal Revenue Code of 1986, by being listed as an exempt
16 organization in Section 501(c)(3) of that code or that is similarly
17 exempt under a successor to that federal tax law; and

18 (3) receives money from the state or a political
19 subdivision of the state, if at all, only under a contract for
20 fire-protection services.

21 (b) The legislature by general law may prescribe limits,
22 priorities, and procedures relating to the donation of equipment
23 under this section and Section 52h of this article.

24 SECTION 2. This proposed constitutional amendment shall be

1 submitted to the voters at an election to be held November 4, 2003.
2 The ballot shall be printed to permit voting for or against the
3 proposition: "The constitutional amendment authorizing political
4 subdivisions to donate outdated or surplus fire-protection and
5 emergency services equipment to certain fire departments."