

BILL ANALYSIS

S.B. 322
By: Staples
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the proceeds from the sale of surplus and salvage personal property of the Texas Department of Transportation and the Texas Department of Public Safety are deposited into the general revenue fund. S.B. 322 requires proceeds from the sale of surplus personal property originally purchased with state highway funds to be deposited to the state highway fund.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 2175.134, Government Code, by adding Subsection (b) and amending Subsection (c), as follows:

(b) Requires proceeds from the sale of surplus or salvage property originally purchased with money from the state highway fund to be deposited to the credit of the state highway fund. Requires the portion of the sale proceeds equal to the cost of advertising the sale and the cost of selling the surplus or salvage property, including the cost of auctioneer services, to be deposited to the credit of the general revenue fund if the costs were not paid from the state highway fund. Requires the fee collected under Section 2175.131 (Purchaser's Fee) to be deposited to the credit of the general revenue fund.

(c) Requires proceeds from the sale of surplus and salvage property of the State Aircraft Pooling Board (board) to be deposited to the credit of the state highway fund, rather than to the credit of the board.

SECTION 2. Amends Section 2175.191, Government Code, by adding Subsection (b) and amending Subsection (c), as follows:

(b) Requires proceeds from the sale of surplus or salvage property originally purchased with money from the state highway fund to be deposited to the credit of the state highway fund. Requires the portion of the sale proceeds equal to the cost of advertising the sale and the cost of selling the surplus or salvage property, including the cost of auctioneer services, to be deposited to the credit of the general revenue fund if the costs were not paid from the state highway fund. Requires the fee collected under Section 2175.188 (Purchaser's Fee) to be deposited to the credit of the general revenue fund.

(c) Requires proceeds from the sale of surplus and salvage property of the board to be deposited to the credit of the state highway fund, rather than to the credit of the board.

SECTION 3. Amends Section 31.1573(c), Natural Resources Code, to require the proceeds of [a real estate] transaction [authorized by the governor] to be deposited to the credit of the Texas capital trust fund, with certain exceptions, rather than to the credit of the Texas capital trust fund if the agency is eligible under Chapter 2201 (Texas Capital Trust Fund), Government Code, to participate in that fund. Alternatively, requires the proceeds to be deposited in the state treasury to the credit of the state highway fund, if the real property was originally purchased in whole or in part with money from the state highway fund, rather than to the credit of the affected agency if

the agency is not eligible under Chapter 2201, Government Code, to participate in the Texas capital trust fund.

SECTION 4. Effective date: September 1, 2007.

EFFECTIVE DATE

September 1, 2007.