

1-1 By: Shapleigh S.B. No. 288
1-2 (In the Senate - Filed January 27, 2005; February 7, 2005,
1-3 read first time and referred to Committee on Government
1-4 Organization; March 17, 2005, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
1-6 March 17, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 288 By: Ellis

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

1-10 relating to the transfer of certain surplus or salvage property to
1-11 another state, certain states in the United Mexican States, or the
1-12 Republic of South Africa.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. The heading to Subchapter E, Chapter 2175,
1-15 Government Code, is amended to read as follows:

1-16 SUBCHAPTER E. DESTRUCTION OR DONATION OF SURPLUS OR SALVAGE
1-17 PROPERTY

1-18 SECTION 2. Section 2175.241, Government Code, is amended to
1-19 read as follows:

1-20 Sec. 2175.241. DESTRUCTION OR DONATION OF SURPLUS OR
1-21 SALVAGE PROPERTY. (a) If the commission or a state agency cannot
1-22 otherwise sell or dispose of property in accordance with this
1-23 chapter or has determined that the property has no resale value, the
1-24 property may be:

1-25 (1) destroyed as worthless salvage; or

1-26 (2) donated to the Republic of South Africa, another
1-27 state in the United States, or a state in the United Mexican States
1-28 adjacent to Texas.

1-29 (b) If the commission or a state agency donates property
1-30 under Subsection (a), the commission or state agency shall require
1-31 that the state or nation that receives the property execute a
1-32 statement releasing this state from any liability arising out of
1-33 the donation.

1-34 SECTION 3. The heading to Section 2175.242, Government
1-35 Code, is amended to read as follows:

1-36 Sec. 2175.242. REMOVAL OF DESTROYED OR DONATED PROPERTY
1-37 FROM STATE PROPERTY ACCOUNTING RECORDS.

1-38 SECTION 4. Subsection (a), Section 2175.242, Government
1-39 Code, is amended to read as follows:

1-40 (a) On destruction or donation of property under this
1-41 subchapter, the comptroller may remove the ~~destroyed~~ property
1-42 from the state property accounting records.

1-43 SECTION 5. Section 2175.304, Government Code, is amended by
1-44 adding Subsections (d) and (e) to read as follows:

1-45 (d) A university system or institution or agency of higher
1-46 education may donate to the Republic of South Africa, another state
1-47 in the United States, or a state in the United Mexican States
1-48 adjacent to Texas any surplus or salvage property that:

1-49 (1) is not disposed of under Subsection (b); and

1-50 (2) has no resale value.

1-51 (e) A university system or institution or agency of higher
1-52 education that donates property under Subsection (d) shall require
1-53 that the state or nation that receives the property execute a
1-54 statement releasing this state from any liability arising out of
1-55 the donation.

1-56 SECTION 6. This Act takes effect immediately if it receives
1-57 a vote of two-thirds of all the members elected to each house, as
1-58 provided by Section 39, Article III, Texas Constitution. If this
1-59 Act does not receive the vote necessary for immediate effect, this
1-60 Act takes effect September 1, 2005.

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