

1-1 By: Staples S.B. No. 322
1-2 (In the Senate - Filed February 2, 2005; February 7, 2005,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; May 6, 2005, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
1-6 May 6, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 322 By: Staples

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

1-10 relating to proceeds from the sale of certain state personal and
1-11 real property.

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

1-13 SECTION 1. Section 2175.134, Government Code, is amended by
1-14 adding Subsection (b) and amending Subsection (c) to read as
1-15 follows:

1-16 (b) Proceeds from the sale of surplus or salvage property
1-17 originally purchased with money from the state highway fund shall
1-18 be deposited to the credit of the state highway fund. The portion
1-19 of sale proceeds equal to the cost of advertising the sale and the
1-20 cost of selling the surplus or salvage property, including the cost
1-21 of auctioneer services, shall be deposited to the credit of the
1-22 general revenue fund if the costs were not paid from the state
1-23 highway fund. The fee collected under Section 2175.131 shall be
1-24 deposited to the credit of the general revenue fund.

1-25 (c) Proceeds from the sale of surplus and salvage property
1-26 of the State Aircraft Pooling Board shall be deposited to the credit
1-27 of the state highway fund ~~board~~.

1-28 SECTION 2. Section 2175.191, Government Code, is amended by
1-29 adding Subsection (b) and amending Subsection (c) to read as
1-30 follows:

1-31 (b) Proceeds from the sale of surplus or salvage property
1-32 originally purchased with money from the state highway fund shall
1-33 be deposited to the credit of the state highway fund. The portion
1-34 of sale proceeds equal to the cost of advertising the sale and the
1-35 cost of selling the surplus or salvage property, including the cost
1-36 of auctioneer services, shall be deposited to the credit of the
1-37 general revenue fund if the costs were not paid from the state
1-38 highway fund. The fee collected under Section 2175.188 shall be
1-39 deposited to the credit of the general revenue fund.

1-40 (c) Proceeds from the sale of surplus and salvage property
1-41 of the State Aircraft Pooling Board shall be deposited to the credit
1-42 of the state highway fund ~~board~~.

1-43 SECTION 3. Subsection (c), Section 31.1573, Natural
1-44 Resources Code, is amended to read as follows:

1-45 (c) Unless otherwise dedicated by the Texas Constitution,
1-46 the proceeds of the transaction shall be deposited:

1-47 (1) to the credit of the Texas capital trust fund,
1-48 except as provided by Subdivision (2) or (3) [if the agency is
1-49 eligible under Chapter 2201, Government Code, to participate in
1-50 that fund];

1-51 (2) in the state treasury to the credit of the state
1-52 highway fund, if the real property was originally purchased in
1-53 whole or in part with money from the state highway fund [affected
1-54 agency if the agency is not eligible under Chapter 2201, Government
1-55 Code, to participate in the Texas capital trust fund]; or

1-56 (3) notwithstanding Subdivisions (1) and (2), as
1-57 otherwise directed under the procedures of Chapter 317, Government
1-58 Code.

1-59 SECTION 4. This Act takes effect September 1, 2007.

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