

1-1 By: Eltife S.B. No. 1139
1-2 (In the Senate - Filed March 8, 2005; March 21, 2005, read
1-3 first time and referred to Committee on Government Organization;
1-4 April 13, 2005, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; April 13, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to monitoring by the Texas Building and Procurement
1-9 Commission and the Legislative Budget Board of the transfer of
1-10 surplus or salvage property by state agencies.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 2175.125, Government Code, is amended to
1-13 read as follows:

1-14 Sec. 2175.125. DIRECT TRANSFER; MONITORING BY COMMISSION.

1-15 (a) During the 10 business days after the date the property is
1-16 posted on the comptroller's website, a state agency, political
1-17 subdivision, or assistance organization may coordinate directly
1-18 with the reporting state agency for a transfer of the property at a
1-19 price established by the reporting agency.

1-20 (b) During the 10 business days described by Subsection (a),
1-21 the reporting state agency shall coordinate its activities with the
1-22 commission to allow the commission to monitor the reporting state
1-23 agency's activities under this section. The commission shall
1-24 ensure that the reporting state agency is ethically and legally
1-25 conducting a transfer according to the best economic interests of
1-26 the state.

1-27 (c) If property is transferred under this section, the
1-28 transferring agency shall report the transaction to the commission.
1-29 The report must include a description of the property transferred,
1-30 the reasons for the transfer, the price for the property
1-31 transferred, and the recipient of the property transferred.

1-32 (d) If the commission determines that a violation of a state
1-33 law or rule has occurred based on the monitoring or the report, the
1-34 commission shall report the violation to the Legislative Budget
1-35 Board.

1-36 SECTION 2. This Act takes effect September 1, 2005.

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