

BILL ANALYSIS

C.S.H.B. 2737
By: Bolton
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, emergency services districts are required to dispose of used, surplus, or salvage property via competitive bid or auction. There is no statutory exception from that requirement, even in connection with purchase by another district or volunteer fire department.

C.S.H.B. 2737 authorizes a district to sell surplus firefighting equipment to any volunteer fire department or district in Texas and salvage firefighting equipment to any person in Texas for fair market value, and authorizes a district to contract with any volunteer fire department or district in Texas to supply surplus property at fair market value.

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

C.S.H.B. 2737 amends the Health and Safety Code to authorize an emergency services district to sell surplus firefighting equipment, including protective clothing and self-contained breathing apparatus, to any volunteer fire department or district in Texas for fair market value if the equipment met the National Fire Protection Association Standards at the original time of purchase and at the time of the sale meets such standards in effect at the original time of purchase or meets such standards in effect. The bill authorizes a district to contract to supply surplus property to any volunteer fire department or district in Texas at fair market value. The bill authorizes a district to sell salvage property to any person in Texas for fair market value, and authorizes a district to destroy or otherwise dispose of the property as worthless if the district is unable to sell the property for fair market value. The bill authorizes a district to determine the fair market value of surplus property and salvaged property the district seeks to sell or supply. The bill defines "salvage property," "surplus property," and "volunteer fire department."

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2737 authorizes an emergency services district to sell surplus firefighting equipment to any volunteer fire department or district in Texas, rather than used firefighting equipment to a volunteer fire department in any district or to another district as in the original. The substitute adds a condition to the sale not in the original that at the time of the sale the equipment meets National Fire Protection Association Standards in effect at the original time of purchase or meets

such standards in effect. The substitute removes from the original a district's authorization to contract to supply salvage property to any volunteer fire department or district in Texas. The substitute adds a provision not in the original authorizing a district to sell salvage property or to destroy or otherwise dispose of the property.