

1-1 By: Veasey, Leibowitz (Senate Sponsor - Davis) H.B. No. 3089
1-2 (In the Senate - Received from the House May 1, 2009;
1-3 May 6, 2009, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 23, 2009, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 23, 2009, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the disposition of vehicles by a local government
1-10 participating in a program designed to encourage the use of
1-11 low-emission vehicles.

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

1-13 SECTION 1. Section 263.152(a), Local Government Code, is
1-14 amended to read as follows:

1-15 (a) The commissioners court of a county may:

1-16 (1) periodically sell the county's surplus or salvage
1-17 property by competitive bid or auction, except that competitive
1-18 bidding or an auction is not necessary if the purchaser is another
1-19 county or a political subdivision within the county that is selling
1-20 the surplus or salvage property;

1-21 (2) offer the property as a trade-in for new property
1-22 of the same general type if the commissioners court considers that
1-23 action to be in the best interests of the county;

1-24 (3) order any of the property to be destroyed or
1-25 otherwise disposed of as worthless if the commissioners court
1-26 undertakes to sell that property under Subdivision (1) and is
1-27 unable to do so because no bids are made;

1-28 (4) dispose of the property by donating it to a civic
1-29 or charitable organization located in the county if the
1-30 commissioners court determines that:

1-31 (A) undertaking to sell the property under
1-32 Subdivision (1) would likely result in no bids or a bid price that
1-33 is less than the county's expenses required for the bid process;

1-34 (B) the donation serves a public purpose; and

1-35 (C) the organization will provide the county with
1-36 adequate consideration, such as relieving the county of
1-37 transportation or disposal expenses related to the property; ~~or~~

1-38 (5) transfer gambling equipment in the possession of
1-39 the county following its forfeiture to the state to the Texas
1-40 Building and Procurement Commission for sale under Section
1-41 2175.904, Government Code; or

1-42 (6) order any vehicle retired under a program designed
1-43 to encourage the use of low-emission vehicles to be crushed and
1-44 recycled, if practicable, without a competitive bid or auction.

1-45 SECTION 2. This Act takes effect September 1, 2009.

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