

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Miller of Comal

H.B. No. 2859

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to notice requirements for a county selling surplus or  
3 salvage property.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 263.153, Local Government Code, is  
6 amended by adding Subsection (c) to read as follows:

7 (c) A county that contracts with an auctioneer licensed  
8 under Chapter 1802, Occupations Code, who uses an Internet auction  
9 site offering online bidding through the Internet to sell surplus  
10 or salvage property under this subchapter shall satisfy the notice  
11 requirement under this section by posting the property on the site  
12 for at least 10 days unless the property is sold before the 10th  
13 day.

14 SECTION 2. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2009.

**ADOPTED**

MAY 25 2009

FLOOR AMENDMENT NO. 1

*Larry Spaw*  
Secretary of the Senate

BY:

*Wentworth*

1 Amend H.B. No. 2859 (senate committee report) in SECTION 1 of  
2 the bill, in added Section 263.153(c), Local Government Code (page  
3 1, line 17), between "subchapter" and "shall", by inserting "having  
4 an estimated value of not more than \$500".

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 28, 2009**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB2859** by Miller, Doug (Relating to notice requirements for a county selling surplus or salvage property.), **As Passed 2nd House**

**No fiscal implication to the State is anticipated.**

The bill would amend the Local Government Code to add a requirement that if a county contracts with a licensed auctioneer who uses an Internet auction site offering online bidding to sell surplus or salvage property having an estimated value of not more than \$500, the county would be considered in compliance with publishing notice if a posting is made on the Internet auction site for at least 10 days, unless the property is sold before the 10th day.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, SZ, JB, DB

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 18, 2009**

**TO:** Honorable Royce West, Chair, Senate Committee on Intergovernmental Relations

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB2859** by Miller, Doug (Relating to notice requirements for a county selling surplus or salvage property.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

The bill would amend the Local Government Code to add a requirement that if a county contracts with a licensed auctioneer who uses an Internet auction site offering online bidding to sell surplus or salvage property, the county would be considered in compliance with publishing notice if a posting is made on the Internet auction site for at least 10 days, unless the property is sold before the 10th day.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, SZ, JB, DB

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 30, 2009**

**TO:** Honorable Garnet Coleman, Chair, House Committee on County Affairs

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB2859** by Miller, Doug (Relating to notice requirements for a county selling surplus or salvage property.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill would amend the Local Government Code to add a requirement that if a county contracts with a licensed auctioneer who uses an Internet auction site offering online bidding to sell surplus or salvage property, the county would be considered in compliance with publishing notice if a posting is made on the Internet auction site for at least 10 days unless the property is sold before the 10th day.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, SZ, JB, DB

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 13, 2009**

**TO:** Honorable Garnet Coleman, Chair, House Committee on County Affairs

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB2859** by Miller, Doug (Relating to notice requirements for a county selling surplus or salvage property.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend the Local Government Code to add to the requirements for publishing notice of surplus or salvage property being sold by a county. Under provisions of the bill, notice must be published for at least 10 days but not more than 30 days. In addition, if a county contracts with a licensed auctioneer who uses an Internet auction site offering online bidding to sell surplus or salvage property, the county would be considered in compliance with publishing notice if a posting is made on the Internet auction site for at least 10 days unless the property is sold before the 10th day.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, DB