

By: Coleman

H.B. No. 2519

A BILL TO BE ENTITLED

AN ACT

relating to expenditures made by emergency services districts and the sale of district property.

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

SECTION 1. Sections 775.073(a) and (d), Health and Safety Code, are amended to read as follows:

(a) Except as otherwise provided by this section, district funds may be disbursed only by check, draft, order, or other instrument that:

(1) is signed by at least a majority of the board's commissioners; or

(2) is signed by the treasurer, or by the assistant treasurer if the treasurer is absent or unavailable, and countersigned by the president, or by the vice president if the president is absent or unavailable.

(d) Any property, including an interest in property, purchased or leased using district funds, wholly or partly, must remain the property of the district, regardless of whether the property is used by a third party under a contract for services or otherwise, until the property is disposed of in accordance with Section 775.0735[+]

~~[(1) the property is sold to a third party following the procedures authorized under Section 263.003, 263.007, or 263.008, Local Government Code, or~~

1           ~~[(2) the property is disposed of in accordance with~~  
2 ~~Subchapter J]~~.

3           SECTION 2. Subchapter E, Chapter 775, Health and Safety  
4 Code, is amended by adding Section 775.0735 to read as follows:

5           Sec. 775.0735. DISPOSITION OF PROPERTY. (a) The district  
6 may dispose of property owned by the district only by:

7                 (1) selling the property to a third party following  
8 the procedures authorized under Section 263.001, 263.007, or  
9 263.008, Local Government Code;

10                (2) selling or disposing of the property following the  
11 procedures authorized under Subchapter D, Chapter 263, Local  
12 Government Code;

13                (3) selling or disposing of the property in accordance  
14 with Subchapter J; or

15                (4) selling the property using an Internet auction  
16 site.

17                (b) The district may contract with a private vendor to  
18 assist with the sale of the property.

19                (c) The district shall sell the property using the method of  
20 sale that the board determines is the most advantageous to the  
21 district under the circumstances. The board shall adopt rules  
22 establishing guidelines for making that determination.

23                (d) In using an Internet auction site to sell property under  
24 this section, the district shall post the property on the site for  
25 at least 10 days.

26                (e) The district may reject any or all bids or proposals for  
27 the purchase of the property.

1       SECTION 3.   This Act takes effect September 1, 2015.