

1-1 By: Riddle (Senate Sponsor - Zaffirini) H.B. No. 3438
 1-2 (In the Senate - Received from the House May 13, 2015;
 1-3 May 14, 2015, read first time and referred to Committee on Business
 1-4 and Commerce; May 22, 2015, reported favorably by the following
 1-5 vote: Yeas 8, Nays 0; May 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7	X			
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the transfer of surplus or salvage state agency
 1-20 property.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 2175.182(a), Government Code, is amended
 1-23 to read as follows:

1-24 (a) A state agency that determines it has surplus or salvage
 1-25 property shall inform the commission of the property's kind,
 1-26 number, location, condition, original cost or value, and date of
 1-27 acquisition [~~that fact for the purpose of determining the method of~~
 1-28 ~~disposal of the property~~]. The commission may take physical
 1-29 possession of the property.

1-30 SECTION 2. The heading of Section 2175.1825, Government
 1-31 Code, is amended to read as follows:

1-32 Sec. 2175.1825. ADVERTISING ON COMMISSION [~~COMPTROLLER~~]
 1-33 WEBSITE.

1-34 SECTION 3. Section 2175.1825(a), Government Code, is
 1-35 amended to read as follows:

1-36 (a) After a state agency informs the commission that it has
 1-37 surplus or salvage property [~~Not later than the second day after the~~
 1-38 ~~date the comptroller receives notice from a state agency under~~
 1-39 ~~Section 2175.182(c)~~], the commission [~~comptroller~~] shall advertise
 1-40 the property's kind, number, location, and condition on the
 1-41 commission's [~~comptroller's~~] website.

1-42 SECTION 4. Section 2175.183, Government Code, is amended to
 1-43 read as follows:

1-44 Sec. 2175.183. COMMISSION NOTICE TO OTHER ENTITIES. The
 1-45 commission shall inform other state agencies, political
 1-46 subdivisions, and assistance organizations of the commission's
 1-47 [~~comptroller's~~] website that lists surplus property that is
 1-48 available for transfer [~~sale~~].

1-49 SECTION 5. The heading of Section 2175.184, Government
 1-50 Code, is amended to read as follows:

1-51 Sec. 2175.184. [~~DIRECT~~] TRANSFER.

1-52 SECTION 6. Section 2175.184(a), Government Code, is amended
 1-53 to read as follows:

1-54 (a) During the 10 business days after the date the property
 1-55 is posted on the commission's [~~comptroller's~~] website, a state
 1-56 agency, political subdivision, or assistance organization shall
 1-57 coordinate with the commission for a transfer of the property at a
 1-58 price established by the commission. A transfer to a state agency
 1-59 has priority over any other transfer during this period.

1-60 SECTION 7. Section 2175.185(c), Government Code, is amended
 1-61 to read as follows:

2-1 (c) The commission [~~Not later than the second day after the~~
2-2 ~~date the comptroller receives notice under Subsection (a), the~~
2-3 ~~comptroller]~~ shall remove the property from the list of surplus
2-4 property for sale on the commission's [~~comptroller's~~] website on
2-5 the date that the property is transferred.

2-6 SECTION 8. Section 2175.190, Government Code, is amended by
2-7 adding Subsection (c) to read as follows:

2-8 (c) The commission by rule may establish a procedure that
2-9 allows a participating state agency to receive a return on small
2-10 value items through the transfer of similar items.

2-11 SECTION 9. Section 2175.182(c), Government Code, is
2-12 repealed.

2-13 SECTION 10. The change in law made by this Act applies only
2-14 to property designated by a state agency for transfer on or after
2-15 the effective date of this Act. State agency property that is
2-16 designated for transfer before the effective date of this Act is
2-17 governed by the law in effect on the date the designation was made,
2-18 and the former law is continued in effect for that purpose.

2-19 SECTION 11. This Act takes effect September 1, 2015.

2-20

* * * * *