

AN ACT

relating to the donation of property from a state agency to an assistance organization or a local governmental entity.

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

SECTION 1. Section 2175.181, Government Code, is amended to read as follows:

Sec. 2175.181. APPLICABILITY. (a) This subchapter applies to a state agency delegated the authority to dispose of surplus or salvage property under Section 2175.065.

(b) This subchapter does not apply to property that is to be donated under Section 2175.241.

SECTION 2. Section 2175.241, Government Code, is amended to read as follows:

Sec. 2175.241. DESTRUCTION OR DONATION OF SURPLUS OR SALVAGE PROPERTY. (a) If the commission [~~or a state agency~~] cannot otherwise sell or dispose of property in accordance with this chapter, [~~or~~] has determined that the property has no resale value, or has determined that the state will sufficiently benefit from donating the property, the property may be:

(1) destroyed as worthless salvage; or

(2) donated to an assistance organization or a local governmental entity.

(b) A state agency may only donate surplus or salvage property under this chapter that could be resold if the agency

1 notifies the commission and provides sufficient information for the
2 commission to be able to confirm the benefit to the state.

3 (c) The commission may charge the assistance organization
4 or local governmental entity that receives the donation an amount
5 sufficient to cover the costs associated with the donation, not to
6 exceed 10 percent of the item's market value.

7 (d) A state agency that donates property under this section
8 is responsible for notifying the comptroller of the donation and
9 any benefit received that must be reported.

10 SECTION 3. Section [2175.242\(b\)](#), Government Code, is amended
11 to read as follows:

12 (b) Authorization by the commission is not required for the
13 deletion of salvage or donated items of another state agency from
14 the state property accounting records.

15 SECTION 4. This Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 3439 was passed by the House on May 13, 2015, by the following vote: Yeas 131, Nays 14, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3439 was passed by the Senate on May 26, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor