

By: Riddle

H.B. No. 3439

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the donation of property from a state agency to an  
3 assistance organization or a local governmental entity.

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

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

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

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

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

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

20 (1) destroyed as worthless salvage; or  
21 (2) donated to an assistance organization or a local  
22 governmental entity.

23 (b) A state agency may only donate surplus or salvage  
24 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.