

1-1 By: Riddle (Senate Sponsor - Zaffirini) H.B. No. 3439  
 1-2 (In the Senate - Received from the House May 14, 2015;  
 1-3 May 15, 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				
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 donation of property from a state agency to an  
 1-20 assistance organization or a local governmental entity.

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

1-22 SECTION 1. Section 2175.181, Government Code, is amended to  
 1-23 read as follows:

1-24 Sec. 2175.181. APPLICABILITY. (a) This subchapter applies  
 1-25 to a state agency delegated the authority to dispose of surplus or  
 1-26 salvage property under Section 2175.065.

1-27 (b) This subchapter does not apply to property that is to be  
 1-28 donated under Section 2175.241.

1-29 SECTION 2. Section 2175.241, Government Code, is amended to  
 1-30 read as follows:

1-31 Sec. 2175.241. DESTRUCTION OR DONATION OF SURPLUS OR  
 1-32 SALVAGE PROPERTY. (a) If the commission [~~or a state agency~~] cannot  
 1-33 otherwise sell or dispose of property in accordance with this  
 1-34 chapter, [~~or~~] has determined that the property has no resale value,  
 1-35 or has determined that the state will sufficiently benefit from  
 1-36 donating the property, the property may be:

1-37 (1) destroyed as worthless salvage; or

1-38 (2) donated to an assistance organization or a local  
 1-39 governmental entity.

1-40 (b) A state agency may only donate surplus or salvage  
 1-41 property under this chapter that could be resold if the agency  
 1-42 notifies the commission and provides sufficient information for the  
 1-43 commission to be able to confirm the benefit to the state.

1-44 (c) The commission may charge the assistance organization  
 1-45 or local governmental entity that receives the donation an amount  
 1-46 sufficient to cover the costs associated with the donation, not to  
 1-47 exceed 10 percent of the item's market value.

1-48 (d) A state agency that donates property under this section  
 1-49 is responsible for notifying the comptroller of the donation and  
 1-50 any benefit received that must be reported.

1-51 SECTION 3. Section 2175.242(b), Government Code, is amended  
 1-52 to read as follows:

1-53 (b) Authorization by the commission is not required for the  
 1-54 deletion of salvage or donated items of another state agency from  
 1-55 the state property accounting records.

1-56 SECTION 4. This Act takes effect September 1, 2015.

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