

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Workman

H.B. No. 2762

A BILL TO BE ENTITLED

1 AN ACT

2 relating to broker agreements for the sale of certain surplus  
3 property by a county.

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

5 SECTION 1. Subchapter D, Chapter 263, Local Government  
6 Code, is amended by adding Section 263.1545 to read as follows:

7 Sec. 263.1545. BROKER AGREEMENTS FOR THE SALE OF CERTAIN  
8 SURPLUS PROPERTY. (a) This section applies only to surplus  
9 property that:

10 (1) is owned by a county;

11 (2) uses a high level of technology;

12 (3) was used or will be used in connection with or for  
13 a highly specialized program; and

14 (4) was purchased by the county for more than  
15 \$250,000.

16 (b) The commissioners court of a county may enter into a  
17 broker agreement to sell surplus property described by Subsection  
18 (a) with a broker who has the expertise necessary to negotiate the  
19 sale of the surplus property. The commissioners court may pay a fee  
20 to the broker if the broker produces a ready, willing, and able  
21 buyer to purchase the surplus property.

22 (c) The commissioners court of a county may sell the surplus  
23 property to the ready, willing, and able buyer who submits the  
24 highest cash offer and is produced by the broker in accordance with

1 the broker agreement.

2 (d) Notwithstanding any other law, the commissioners court  
3 of a county may sell surplus property under this section without  
4 complying with the requirements for conducting a public auction,  
5 bidding, or trade-in under other law, including the requirements  
6 under Sections 263.152 and 263.153.

7 SECTION 2. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2017.

ADOPTED

MAY 22 2017

FLOOR AMENDMENT NO. 1

BY: *Sally Spivey*  
Secretary of the Senate

*W Campbell*

1 Amend H.B. No. 2762 (senate committee printing) in SECTION  
2 1 of the bill as follows:

3 (1) In the heading to added Section 263.1545, Local  
4 Government Code (page 1, line 23), between "PROPERTY" and the  
5 underlined period, insert "BY CERTAIN COUNTIES".

6 (2) In added Section 263.1545(a)(1), Local Government Code  
7 (page 1, line 25), between "county" and the underlined  
8 semicolon, insert "with a population of more than 1 million and  
9 less than 1.5 million".

ADOPTED

MAY 22 2017

FLOOR AMENDMENT NO. 2

*Atay Spaw*  
Secretary of the Senate

BY: *McCampbell*

1 Amend H.B. No. 2762 (senate committee printing) in SECTION  
2 1 of the bill, between added Sections 263.1545(b) and (c), Local  
3 Government Code (page 1, between lines 36 and 37), by adding the  
4 following appropriately lettered subsection and relettering  
5 subsections of that section accordingly:

6 ( ) Notwithstanding any other law, including Section  
7 262.024, a broker agreement under this section is subject to the  
8 competitive procurement procedures for services under Subchapter  
9 C, Chapter 262, regardless of the amount of the proposed  
10 broker's fee.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 23, 2017**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2762** by Workman (Relating to broker agreements for the sale of certain surplus property by a county.), **As Passed 2nd House**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Local Government Code concerning the disposition of certain surplus property by certain counties. It authorizes use of broker agreements for the sale of defined categories of property where broker expertise is necessary to negotiate the sale of the surplus property.

The bill does not involve the sale of property held by the state and would not have a significant fiscal implication to the state.

The bill would take effect immediately if it receives a vote of two-thirds of each house. If the bill does not receive the vote necessary for immediate effect it would take effect September 1, 2017.

**Local Government Impact**

According to the Texas Association of Counties, no significant fiscal implication is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, GP

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 8, 2017**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2762** by Workman (Relating to broker agreements for the sale of certain surplus property by a county.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Local Government Code concerning the disposition of certain surplus property by counties. It authorizes use of broker agreements for the sale of defined categories of property where broker expertise is necessary to negotiate the sale of the surplus property.

The bill does not involve the sale of property held by the state and would not have a significant fiscal implication to the state.

The bill would take effect immediately if it receives a vote of two-thirds of each house. If the bill does not receive the vote necessary for immediate effect it would take effect September 1, 2017.

**Local Government Impact**

According to the Texas Association of Counties, no significant fiscal implication is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, GP

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 12, 2017**

**TO:** Honorable Garnet Coleman, Chair, House Committee on County Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2762** by Workman (Relating to broker agreements for the sale of certain surplus property by a county.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Local Government Code concerning the disposition of certain surplus property by counties. It authorizes use of broker agreements for the sale of defined categories of property where broker expertise is necessary to negotiate the sale of the surplus property.

The bill does not involve the sale of property held by the state and would not have a significant fiscal implication to the state.

The bill would take effect immediately if it receives a vote of two-thirds of each house. If the bill does not receive the vote necessary for immediate effect it would take effect September 1, 2017.

**Local Government Impact**

According to the Texas Association of Counties, no significant fiscal implication is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, GP