

By: Hunter

H.B. No. 3430

A BILL TO BE ENTITLED

AN ACT

relating to the transfer of a retired county law enforcement dog.

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

SECTION 1. Section 263.152(a), Local Government Code, is amended to read as follows:

(a) The commissioners court of a county may:

(1) periodically sell the county's surplus or salvage property by competitive bid or auction, except that competitive bidding or an auction is not necessary if the purchaser is another county or a political subdivision within the county that is selling the surplus or salvage property;

(2) offer the property as a trade-in for new property of the same general type if the commissioners court considers that action to be in the best interests of the county;

(3) order any of the property to be destroyed or otherwise disposed of as worthless if the commissioners court undertakes to sell that property under Subdivision (1) and is unable to do so because no bids are made;

(4) dispose of the property by donating it to a civic or charitable organization located in the county if the commissioners court determines that:

(A) undertaking to sell the property under Subdivision (1) would likely result in no bids or a bid price that is less than the county's expenses required for the bid process;

1 (B) the donation serves a public purpose; and

2 (C) the organization will provide the county with  
3 adequate consideration, such as relieving the county of  
4 transportation or disposal expenses related to the property;

5 (5) transfer gambling equipment in the possession of  
6 the county following its forfeiture to the state to the Texas  
7 Facilities [~~Building and Procurement~~] Commission for sale under  
8 Section 2175.904, Government Code; [~~or~~]

9 (6) order any vehicle retired under a program designed  
10 to encourage the use of low-emission vehicles to be crushed and  
11 recycled, if practicable, without a competitive bid or auction; or

12 (7) by order or resolution, transfer a retired law  
13 enforcement dog as provided by Section 263.159.

14 SECTION 2. Subchapter D, Chapter 263, Local Government  
15 Code, is amended by adding Section 263.159 to read as follows:

16 Sec. 263.159. TRANSFER OF RETIRED COUNTY LAW ENFORCEMENT  
17 DOG. (a) The commissioners court of a county may transfer a county  
18 law enforcement dog that is:

19 (1) at the end of the dog's working life; or

20 (2) otherwise surplus to the needs of the county.

21 (b) The commissioners court may transfer a county law  
22 enforcement dog described by Subsection (a) only to:

23 (1) the dog's current or former handler; or

24 (2) another current or former law enforcement officer.

25 (c) A transfer under this section:

26 (1) may be made without charge to the transferee if the  
27 transferee agrees to house and otherwise care for the dog; and

1           (2) must be made in a manner that is in the best  
2 interest of the dog and the county, as determined by the county.

3           SECTION 3. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2019.