

By: Cole

H.B. No. 3335

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a county to dispose of surplus and salvage property to a civic or charitable organization.

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~~

1 ~~is less than the county's expenses required for the bid process,~~

2 [~~(B)~~] the donation serves a public purpose; ~~[and]~~

3 (B) the county can retain sufficient control over
4 the donation process to ensure that the public purpose of the
5 donation is accomplished; and

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

9 (5) transfer gambling equipment in the possession of
10 the county following its forfeiture to the state to the Texas
11 Facilities Commission for sale under Section 2175.904, Government
12 Code; or

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

16 SECTION 2. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2025.